

Notice of Removal  
*Lawrence v. Kalm Financial, Inc., et al.*

# COMPOSITE EXHIBIT A

**2484CV00798 Lawrence, Vincent vs. Kalm Financial Inc et al**

- Case Type:
- Torts
- Case Status:
- Open
- File Date
- 03/25/2024
- DCM Track:
- F - Fast Track
- Initiating Action:
- Other Tortious Action
- Status Date:
- 03/25/2024
- Case Judge:
- Next Event:
- 

[All Information](#) [Party](#) [Tickler](#) [Docket](#) [Disposition](#)

**Party Information**

**Lawrence, Vincent**  
- Plaintiff

[Alias](#)

**Party Attorney**

- Attorney
- Pro Se
- Bar Code
- PROPER
- Address
- Phone Number
- 

[More Party Information](#)

**Kalm Financial Inc**  
- Defendant

[Alias](#)

**Party Attorney**

[More Party Information](#)

**ClearOne Advantage LLC**  
- Defendant

[Alias](#)

**Party Attorney**

[More Party Information](#)

**Cross Mortgage LLC**  
- Defendant

[Alias](#)

**Party Attorney**

[More Party Information](#)

**Amend Finance LLC**  
- Defendant

[Alias](#)

**Party Attorney**

[More Party Information](#)

**Turbo Debt LLC**  
- Defendant

[Alias](#)

**Party Attorney**

[More Party Information](#)

**John Does**  
- Defendant

[Alias](#)

**Party Attorney**

[More Party Information](#)

**Jane Does**  
- Defendant

[Alias](#)













**Party Attorney**





[More Party Information](#)

**Ticklers**

<u>Tickler</u>	<u>Start Date</u>	<u>Due Date</u>	<u>Days Due</u>	<u>Completed Date</u>
Service	03/25/2024	06/24/2024	91	
Answer	03/25/2024	07/23/2024	120	
Rule 12/19/20 Served By	03/25/2024	07/23/2024	120	
Rule 12/19/20 Filed By	03/25/2024	08/22/2024	150	
Rule 12/19/20 Heard By	03/25/2024	09/23/2024	182	
Rule 15 Served By	03/25/2024	07/23/2024	120	
Rule 15 Filed By	03/25/2024	08/22/2024	150	
Rule 15 Heard By	03/25/2024	09/23/2024	182	
Discovery	03/25/2024	01/20/2025	301	
Rule 56 Served By	03/25/2024	02/18/2025	330	
Rule 56 Filed By	03/25/2024	03/20/2025	360	
Final Pre-Trial Conference	03/25/2024	07/18/2025	480	
Judgment	03/25/2024	03/25/2026	730	

**Docket Information**

<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
03/25/2024	Attorney appearance On this date Pro Se added for Plaintiff Vincent Lawrence		
03/25/2024	Case assigned to: DCM Track F - Fast Track was added on 03/25/2024		
03/25/2024	Affidavit of Indigency and request for waiver substitution of state payment of fees and costs filed without Supplemental affidavit ALLOWED Filing + Service fees only	1	
03/25/2024	Original civil complaint filed.	2	
03/25/2024	Civil action cover sheet filed.	3	
03/25/2024	Demand for jury trial entered.		
03/25/2024	Docket Note: Two summonses + Three copies of Affidavit allowed, complaint, cacs and tracking order in hand		
04/01/2024	Notice of 93A complaint sent to Attorney General		
04/10/2024	Service Returned for Defendant Kalm Financial Inc: Service via certified mail;	4	
04/10/2024	Service Returned for Defendant ClearOne Advantage LLC: Service via certified mail;	5	
04/15/2024	Plaintiff Vincent Lawrence's Notice of Settlement	6	
04/22/2024	Vincent Lawrence's request for Default 55(a)  Applies To: Kalm Financial Inc (Defendant)	7	
04/25/2024	Plaintiff Vincent Lawrence's Notice of Voluntary Dismissal with prejudice without costs or attys fees and with all rights of appeal waived  Applies To: ClearOne Advantage LLC (Defendant)	8	
04/25/2024	Party status: Defendant ClearOne Advantage LLC: Voluntarily dismissed;		
04/30/2024	Plaintiff Vincent Lawrence's Notice of 14 extension to defendant	9	
05/03/2024	Amended: First amended complaint filed by Vincent Lawrence	10	
05/13/2024	Party(s) file Stipulation of Dismissal (filed 5/10/24) as to plaintiff v defendant Kalm Financial LLC ONLY with prejudice with each party to bear its own costs and no right of appeal JUDGMENT entered on docket pursuant to Mass R Civ P 58(a) as amended and notice sent to parties pursuant to Mass R Civ P 77(d)  Applies To: Lawrence, Vincent (Plaintiff); Kalm Financial Inc (Defendant)	11	
05/13/2024	Party status: Defendant Kalm Financial Inc: Dismissed;		

<u>Docket Date</u>	<i>Docket Text</i>	<u>File Ref Nbr.</u>	<i>Image Avail.</i>
05/20/2024	Service Returned for Defendant Turbo Debt LLC: Service via certified mail;	12	 <a href="#">Image</a>
05/20/2024	Service Returned for Defendant Cross Mortgage LLC: Service via certified mail;	13	 <a href="#">Image</a>
05/20/2024	Service Returned for Defendant Amend Finance LLC: Service via certified mail;	14	 <a href="#">Image</a>
05/28/2024	Plaintiff, Defendant Vincent Lawrence, Turbo Debt LLC's Joint Stipulation to extend Deadline	15	 <a href="#">Image</a>
Case Disposition			
<u>Disposition</u>	<u>Date</u>	<u>Case Judge</u>	
Pending			

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Commonwealth of Massachusetts

SUFFOLK, ss.

SUPERIOR COURT

CASE NO: 24-07986

VINCENT LAWRENCE

Plaintiff,

v.

KALM FINANCIAL INC.

CLEAR ONE ADVANTAGE LLC.

Defendant,

VERIFIED COMPLAINT

SUFFOLK SUPERIOR COURT  
CIVIL CLERK'S OFFICE  
2024 MAR 25 P 2:03  
JOHN E. POWERS III  
ACTING CLERK MAGISTRATE

1. This is an action for damages brought by an individual consumer for violations of the Telephone Consumer Protection Act, 47 U.S.C. § 227 (hereinafter "TCPA"), Massachusetts Telemarketing Solicitation Act 159 c, Massachusetts Unfair and Deceptive Trade Practices Act M.G.L. c 93 a.. The TCPA broadly prohibits any person from placing calls and text messages using an automated telephone dialing system or artificial or prerecorded voice to a cellular phone.

2. Defendant harassed Plaintiff with autodialed and artificial prerecorded calls<sup>1</sup> to my cell phone # 857-225-3862 in violation of the TCPA. All these calls were made without Plaintiff's consent. Despite Plaintiff's numerous requests for the calls to cease, Defendant continued to bombard me with repeated annoying and harassing calls.
3. Plaintiff was constrained to file this case to get these harassing prerecorded calls and text messages to stop. Plaintiff seeks statutory damages for Defendant's willful violations of the TCPA, MTSA and MGL 93a as well as punitive damages for invasion of privacy under Massachusetts law.

#### JURISDICTION AND VENUE

4. This Court has subject matter jurisdiction over this action pursuant to Ma. State Statutes MGL 93a and M.G.L., c. 159C as the action arises under the Massachusetts Telephone Solicitation.
5. This Court has federal question subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1331, as the action arises under the Telephone Consumer Protection Act, 47 U.S.C. §§ 227, *et seq.* ("TCPA").
6. This Court has personal jurisdiction over Defendants Kalm and Clear and venue is proper in this District because Defendants directs, markets, and provide their businesses

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<sup>1</sup> "The TCPA also applies to other forms of communication, such as text messages. See Campbell-Ewald Co. v. Gomez, — U.S. —, 136 S. Ct. 663, 667, 193 L.Ed.2d 571 (2016)." *Breda v. Cellco P'ship*, 934 F.3d 1, 4 n.1 (1st Cir. 2019)

activities to this District, Defendants' unauthorized marketing scheme was directed by Defendants above to consumers in this District, and they transact business in Massachusetts and/or contract to supply their goods and service in Massachusetts.

7. This Court has personal jurisdiction because plaintiff was harmed by defendants in Suffolk County.

### **PARTIES**

8. Plaintiff ("Vincent Lawrence") is a natural person and is a resident of Suffolk County Massachusetts and lives at 111 Atlantic Avenue Apt 2, Boston, Ma 02126. 02126. 02126.
9. Defendant Kalm Financial Inc. is a Delaware Limited Liability Company debt settlement and credit counseling company whose registered agents address is Harvard Business Services, inc. 16192 Coastal Highway Lewes, DE 19958.
10. Defendant ClearOne Advantage, LLC ("Clear") is a Credit and Debt Counseling Services that offers debt relief, credit counseling, and consolidation solutions and is located at 3500 Boston Street, Suite 413 Baltimore, MD 21224 and 1501 South Clinton Street # 320 Baltimore, MD 21224.

### **FACTUAL ALLEGATIONS**

11. Plaintiff Vincent Lawrence owns a cellular telephone with the number 857-225-3862 registered to it.
12. Plaintiff makes emergency calls from this device as well as uses it as his home telephone and it is used to watch television shows and for personal use.

13. This phone number was assigned to a cellular telephone service which Plaintiff pays for monthly bill with T-Mobile.
14. Plaintiff registered his two telephone on the National Do Not Call Registry on November 15, 2023, 857-225-3862 and 857-225-3748.
15. Plaintiff registered his two telephone also on the Massachusetts State Do Not Call Registry on November 15, 2023, 857-225-3862 and 857-225-3748.
16. On November 15, 2023, The Nation Do Not Call Registry then sent me two email informing me that my telephone number 857-225-3748 was registered on November 15, 2023.<sup>2</sup>
17. Defendants Kalm and Clear have caused multiple text messages and artificial pre-recorded messages to be transmitted to Plaintiff's cellular telephone number 857-225-3862.
18. Defendants Kalm and Clear placed these text and prerecorded calls to plaintiffs cellular telephone without plaintiffs consent or an emergency purpose.
19. Defendants Kalm and Clear have called plaintiff once and twice within a 12 month period using an ATDS and or an Automatic Telephone Dialing system.
20. Defendants' Kalm and Clear generates new customers by sending text and calls with an Automatic Telephone Dialing System and prerecorded artificial messages.

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<sup>2</sup> 159C Section 7. If the Federal Communications Commission establishes a single national database of telephone numbers of consumers who do not wish to receive unsolicited telephonic sales calls pursuant to 47 U.S.C. section 227 (c)(3), the office shall include that part of such single national database that relates to the commonwealth in the listing established pursuant to this chapter.



21. In sending the unsolicited text messages and artificial prerecorded calls to plaintiffs cellular telephone, Defendants Kalm and Clear employed or authorized to be employed the use of an ATDS, hardware and/or software with the capacity to use a random or sequential number generator to either store or produce phone numbers to be called to plaintiffs' number that on the Federal & State DNCR.<sup>3</sup>
22. Defendants Kalm and Clear intentionally caused and used a blocking device or service to circumvent the plaintiffs use of a call identification service or device. This is contrary to M. G. L. c. 159C, § 4. And G.L.C 93 a.
23. Defendants caused my caller I.D to reveal another incoming number when they placed calls to my cellular telephone.
24. The purpose of Defendants' Kalm and Clear text messages and prerecorded calls to plaintiff cellular telephone was to advertise, promote, and/or market and/or to solicit the sale of their consumer goods and services.
25. Plaintiff has never had an Established Business Relationship with defendants Kalm or Clear to place any calls to his cellular telephone.
26. When plaintiff answered these prerecorded calls he would here pause and then a click and then the messages would start or go to a live agent.
27. Plaintiff would sometimes states stop calling this phone but the voice would keep talking.

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<sup>3</sup> See *Facebook, Inc. v. Duguid*, 141 S. Ct. 1163, 1173 (2021).

28. It is believed, and therefore averred, that calls made by Kalm to Plaintiff's cell phone were made using either an automatic telephone dialing system, as that term is defined in 47 U.S.C. § 227(a)(1), or an artificial prerecorded voice message.
29. Defendant Kalm and Clear willfully placed these auto-dialed calls and prerecorded voice messages to Plaintiff's cellular telephone without Plaintiff's express or written consent.
30. Defendants Kalm and Clear's repetitive, incessant calls have caused Plaintiff emotional harm and distress, embarrassment, aggravation, discomfort, and other losses.
31. The ongoing calls from defendants Kalm and Clear are harassing and abusive and invaded Plaintiff's privacy.
32. Defendant Kalm called me from several telephone numbers including causing my caller I.D to display several numbers including 215-268-3027, (215) 613- 4864, (215) 941-5262, (215) 488-7580, (215) 268-3217, (215) 613- 4788, (215) 268-3217, and (610) 938-6974.
33. Defendants Kalm called me to sell me debt settlements services.
34. When the defendant called me from Kalm Financial Inc. a gentleman with an accent stated his name was Hubert and he stated he got my number when Kalm conducted a research program.
35. Defendant Kalm Financial Inc. have caused at least Six Prerecorded Artificial Voice Messages to be transmitted to Plaintiff's cellular telephone number, 857-225-3862.
36. The defendant Kalm called me with prerecorded messages that stated ***"Hi, we are calling from call Financial. We're here to assist you with your debt and financial recovery. Please call us at 8448022274. That's 844-802-2274 to begin. Thank you and have a great day"*** trying to sell me debt relief services.

37. The defendant Kalm agent stated I could call him back on 2152683027 or 844-8022274 on an extension of 118, I never gave him consent at all on the call he said the call was recorded.

**KALM FINANCIAL INC. CALLS**

Feb 22, 2024, 10: 44 AM IN (215) 268-3027

Feb 26, 2024, 11:35 AM IN (215) 613- 4864

Feb 27, 2024, 9:59 AM IN (215) 941-5262

March 12, 2024, 3:24 PM IN (215) 268-3027

March 10, 2024, 9:06 AM IN (215) 488-7580

March 13, 2024, 8:06 AM IN (215) 268-3217

**KALM TEXT MESSAGES**

38. Defendant Kalm Financial Inc. have caused at least Eight text messages, all of the Text messages was transmitted to Plaintiff's cellular telephone number below to Plaintiff cellular telephone number without Consent or an emergency purpose to 857-225-3862 on:

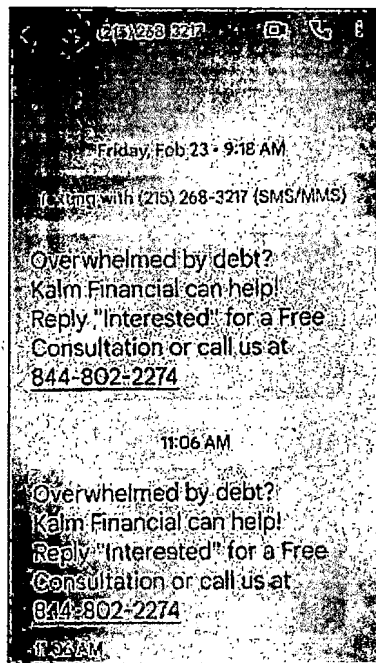
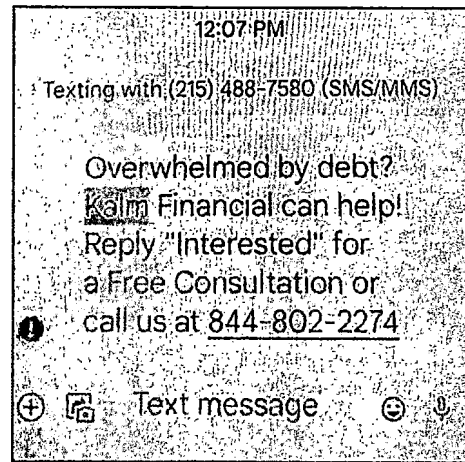
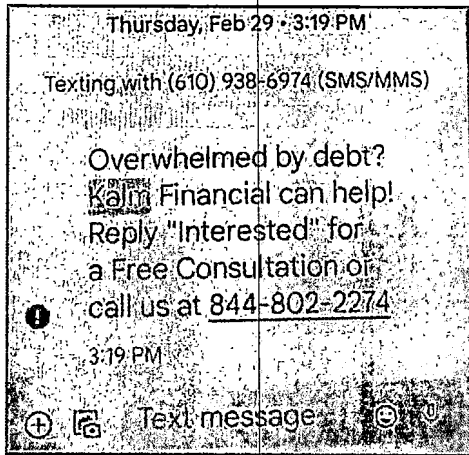
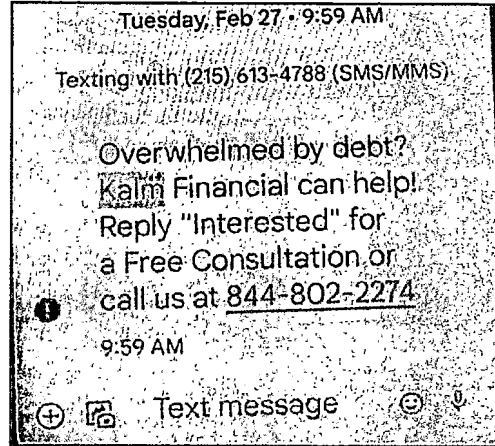
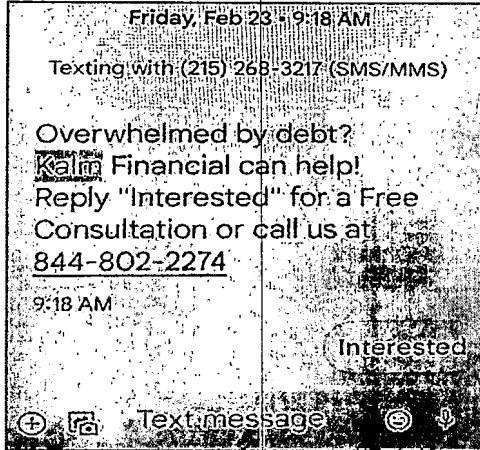
Feb 27, 2024, 6:59 AM IN (215) 613- 4788

Feb 23, 2024, 6:18 AM IN (215) 268-3217

Feb 23, 2024, 9:18 AM IN (215) 268-3217

Feb 23, 2024, 11:06 AM IN (215) 268-3217

Feb 29, 2024, 3:19 PM IN (610) 938-6974



39. The district has found that Pre-recorded calls without consent or for an emergency purpose is a violation of the TCPA.<sup>4</sup>
40. Defendants Kalm left at least Nine Artificial Pre-recorded messages on Plaintiffs cellular telephone without consent, Established Business Relationship or for an emergency purpose.
41. The TCPA statute and the FCC Regulations by its terms exempts only calls made for emergency purposes and calls made with the prior express consent of the called party, 47 U.S.C. § 227(b)(1)(A)(iii), and the prohibition is not limited to telephone solicitations. See In re Rules & Reguls. Implementing the Tel. Consumer Prot. Act of 1991, 30 FCC Rcd. 7961, 8022-23 (2015) (noting that "the TCPA contains unique protections for wireless consumers because autodialed and prerecorded calls are increasingly intrusive in the wireless context, . . . [and] the intrusion on the consumer's privacy from unwanted calls may actually be greater with wireless than wireline calls, where the calls are received on a phone that the consumer may carry at all times".<sup>5</sup>

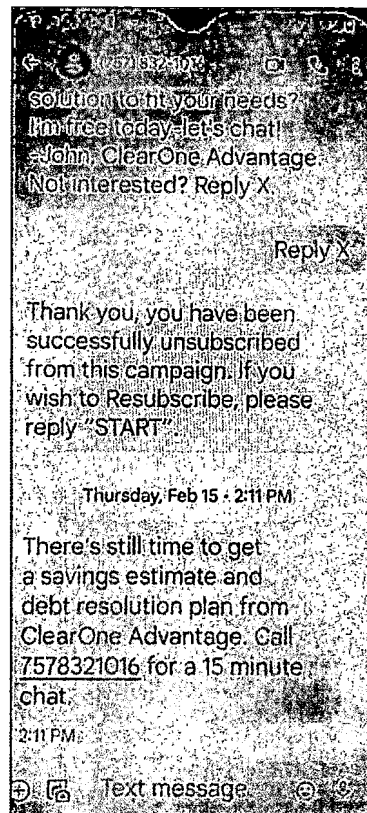
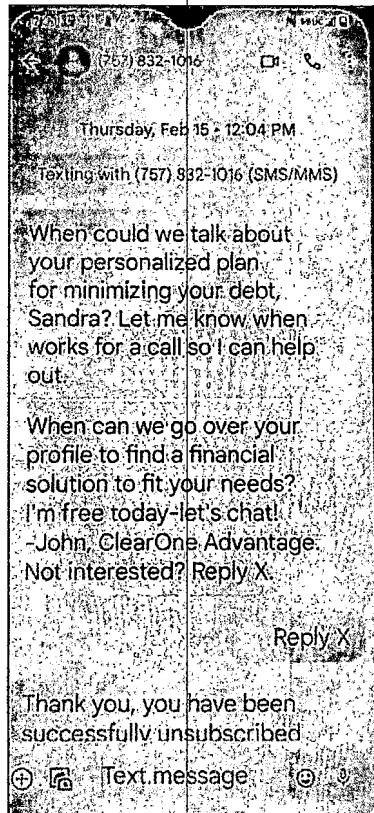
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<sup>4</sup> 227(b)(1)(A)(iii) of the TCPA, which broadly prohibits "*any* person" from using "any [ATDS] or an artificial or prerecorded voice" to make "*any* call (other than a call made for emergency purposes or made with the prior express consent of the called party) . . . to *any* telephone number assigned to a . . . cellular telephone service . . . ." 47 U.S.C. § 227(b)(1)(A)(iii)

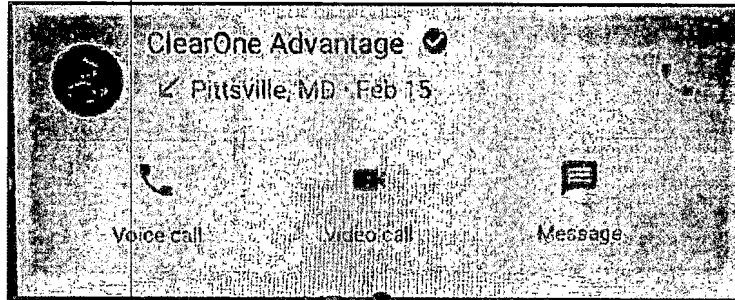
<sup>5</sup> Elements of a TCPA claim under 227(b)(1)(A)(iii) are: **(1)** the defendant used an ATDS or artificial or prerecorded voice, (2) to call a telephone number assigned to a cellular service or service for which the called party is charged for the call); further, a consumer who has provided express consent to receive autodialed or prerecorded/artificial voice calls may revoke that consent. See In re Rules & Reguls. Implementing the Tel. Consumer Prot. Act of 1991, 30 FCC Rcd. 7961, 7966 (July 10, 2015) ("Consumers have a right to revoke consent, using any reasonable method including orally or in writing").

### DEFENDANT CLEARONE ADVANTAGE CALLS

42. Defendant Clear called and Text my cellular telephone as well without an emergency purpose or express or written consent one and two times within a 12 month period.
43. On Feb 15, 2024, at 12:04 PM Clear text my cellular telephone .
44. Defendant Clear text message said to pt out send Reply X to the text.
45. On Feb 15, 2024, at approximately 12:08 PM I Replied Reply X as Clear stated to stop all calls.
46. Defendants ignored my request to opt out and sent another text message on Feb 15, 2024, at 2:11 PM again the text message stated ***"Theres still time to get a savings estimate and debt resolution plan from ClearOne Advantage. Call 7578321016 for a 15 minute Chat"***







47. Neither Kalm nor Clear nor their agents were registered with the Massachusetts Office of Consumers affairs and Business Regulation (the "Office") as a telephone solicitor.
48. Defendants have caused multiple text messages to be transmitted to Plaintiff's cellular telephone.
49. Defendants' Kalm and Clear text messages also caused Plaintiff harm, including trespass, annoyance, nuisance, invasion of privacy, and intrusion upon seclusion.
50. Defendants' Kalm and Clear text messages also occupied storage space on Plaintiff's telephone.<sup>6</sup>
51. Defendants' Kalm and Clear failed to register as a telemarketer under requirement of 201 C.M.R. § 12.04(3) failed to comply with the requirement of 201 C.M.R. § 12.04(3) which is contrary to G.L.c 93A.
52. Defendants' Kalm and Clear legally was forbidden to place telemarketing calls and Text messages to Massachusetts Consumers such as plaintiff under 201 C.M.R. § 12.04(3).

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<sup>6</sup> "Even one unsolicited, automated text message" is "a concrete and particularized injury" that provides Article III standing. *Chennette v. Porch.com*, 50 F.4th 1217, 1222 (9<sup>th</sup> Cir. 2022).

53. Defendants Kalm and Clear was not registered under 201 C.M.R. § 12.04(3) which they were prohibited from obtaining a list of consumers that had registered under the Massachusetts Do Not Call Registry and their acts where willful and knowingly.

54. Defendants Kalm and Clear did not provide training to their personnel and or agents engaged in telemarketing; and/or (3) failed to maintain a reassigned list of numbers from the FCC and Massachusetts to scrub against their telemarketing list.

55. Without a list of consumer that had registered on the Massachusetts DNC defendants Kalm and Clear could not scrub their phone records and their acts where knowing and willful contrary to MGL 93a and M. G. L., c. 159C § 8.

56. Defendants Kalm and Clear are responsible for Plaintiff's reasonable attorney's fees and costs under the MTSA 159 c and MGL 93a.<sup>7</sup>

57. Defendants' Kalm and Clear telephonic sales calls and text caused Plaintiff harm, including inconvenience, invasion of privacy, aggravation, annoyance, wear and tear to his cell phone, loss of battery charge and life, and per-kilowatt electricity cost required to recharge his cellular telephone as a result of increased usage of plaintiff's cell phone services and violation of hiss statutory privacy rights.

### **COUNT I**

#### **Violations of the Telephone Consumer Protection Act, 47 U.S.C. §227(b)(1)(A)-on behalf of Plaintiff Defendants KALM and Clear**

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<sup>7</sup> "In a civil proceeding resulting from a transaction involving a violation of this chapter, the prevailing party, after judgment in the trial court and exhaustion of all appeals, if any, shall be awarded reasonable attorney's fees and costs from the non-prevailing party. M. G. L., c. 159C §



58. Plaintiff incorporates the allegations from all previous paragraphs as if fully set forth herein.
59. The foregoing acts and omissions of Defendants and/or their affiliates, agents, and/or other persons or entities acting on Defendants' behalf constitute numerous and multiple violations of the TCPA, 47 U.S.C. § 227, by making calls, except for emergency purposes, to the Plaintiff's cellular telephone number using an ATDS and/or artificial or prerecorded voice.
60. As a result of the acts of Defendants (and/or their affiliates, agents, and/or other persons or entities acting on Defendants' behalf) in violation of the TCPA, 47 U.S.C. § 227, Plaintiff presumptively is entitled to an award of \$500 in damages for each and every call made to his cellular telephone number using an ATDS and/or artificial or prerecorded voice in violation of the statute, pursuant to 47 U.S.C. § 227(b)(3)(B).
61. Plaintiff is also entitled to and does seek injunctive relief prohibiting Defendants and/or their affiliates, agents, and/or other persons or entities acting on Defendants' behalf from violating the TCPA, 47 U.S.C. § 227, by making calls, except for emergency purposes, to any cellular telephone numbers using an ATDS and/or artificial or prerecorded voice in the future.
62. Defendants' violations were willful and/or knowing.
63. As a result of Defendants' knowing or willful conduct, Plaintiff is entitled to an award of \$1,500.00 in statutory damages per each violation of 47 U.S.C. § 227(b)(1)(A).

**COUNT II**

**Violation of the TCPA's DNC provisions**

**Defendants Kalm and Clear**

64. Plaintiff incorporates the allegations from all previous paragraphs as if fully set forth herein.
65. Defendants violated the TCPA by (a) initiating telephone solicitations to persons and entities whose telephone numbers were listed on the Do Not Call Registry, or (b) by the fact that others made those calls on its behalf. *See* 47 U.S.C. § 227(c); 47 C.F.R. § 64.1200(c)(2).
66. Defendants' violations were willful and/or knowing.
67. As a result of Defendants' violations of the TCPA, 47 U.S.C. § 227(c)(5), Plaintiff is entitled to an award of up to \$500 in damages for each call made in violation of this section. The Court may award up to \$1,500 if the violation was found to be "willful or knowing."
68. Plaintiff is also entitled to and does seek injunctive relief prohibiting Defendants Best and Falls and/or their affiliates, agents, and/or other persons or entities acting on Defendants' behalf from making calls advertising their goods or services, except for emergency purposes, to any number on the National Do Not Call Registry.
69. As a result of Defendants' knowing or willful conduct, Plaintiff is entitled to an award of \$1,500.00 in statutory damages per each violation of the 47 U.S.C. § 227(c)(5).

**COUNT III**  
**(Violation of the MTSA )**  
**Defendants Kalm and Clear**

70. Plaintiff incorporates the allegations from all previous paragraphs as if fully set forth herein.
71. Defendants made unsolicited telephonic sales calls to Plaintiff.
72. Defendants made these calls to Plaintiff without express written consent or permission, in violation of M.G.L., c. 159C, § 1.
73. Defendants falsified and displaced caller identification, in violation of M.G.L., c. 159C, § 4 (and 201 C.M.R. § 12.02(5)).
74. Defendants failed to register with the Office, in violation of 201 C.M.R., § 12.04.
- Telephone solicitors making calls to Massachusetts consumers are required “to properly register on an annual basis with the Office.”
75. Defendants have failed to satisfy a basic, threshold requirement for conducting telephone solicitations in Massachusetts, that telephone solicitors must “have an approved registration prior to soliciting any Massachusetts consumers.” 201 C.M.R., § 12.04(3).
76. Defendants have also failed to comply with the requirement of 201 C.M.R. § 12.04(3) that they keep and consult the latest version of the Massachusetts do-not-call registry.
77. As a result of this conduct, Defendants have violated the MTSA, and they are liable to Plaintiff for damages, including actual damages or statutory damages of up to \$5,000 for each MTSA violation, whichever is greater.

**COUNT IV**

**(Violation of the MTSA Do Not Call Provisions)**

**All Defendants**

78. Plaintiff incorporates the allegations from all previous paragraphs as if fully set forth herein.
79. Defendants made unsolicited telephonic sales calls and text to Plaintiff when Plaintiff was registered with the Massachusetts do-not-call registry, in violation of M.G.L., c. 159C, § 3 (and 201 C.M.R. § 12.02(1)).
80. As a result of this conduct, Defendants knowingly and willfully have violated the MTSA, and they are liable to Plaintiff for damages, including actual damages or statutory damages of up to \$5,000 per violation, whichever is greater.

**COUNT V**

**VIOLATION OF THE MASSACHUSETTS UNFAIR AND DECEPTIVE  
TRADE PRACTICES ACT M.G.L.c 93A  
DEFENDANTS KALM & CLEARONE**

81. Plaintiff incorporates the allegations from all previous paragraphs as if fully set forth herein.
82. Defendants have failed to satisfy a basic threshold requirement for conducting telephone solicitations in Massachusetts, that telephone solicitors must “have an approved registration prior to soliciting any Massachusetts consumers.” 201 C.M.R., § 12.04(3).
83. Defendants nor their agents were registered with the Massachusetts Office of Consumers affairs and Business Regulation (the “Office”) as a Telephone Solicitor which is a contrary to 201 C.M.R. § 12.04. and M.G.L. 93 A.
84. Defendants failed to Register as a Massachusetts telemarketer as is required by 201 C.M.R. § 12.04. Telephone solicitors engaging in unsolicited telephonic sales text (calls)

to Massachusetts consumers are required to “properly register on an annual basis with the Office” which is contrary to MGL 93 A.

85. Defendants text (called) plaintiff telephone number after 9pm eastern standard time which is a violation of the Telephone Consumer Practices Act, Massachusetts Telemarketing Solicitation Act 159C and 201 C.M.R., § 12.04(3) which is contrary to M.G.L. 93 A.

### **INJUNCTIVE RELIEF**

#### **DEFENDANTS KALM & CLEARONE**

86. Plaintiff is also entitled to and does seek injunctive relief prohibiting Defendants and/or their affiliates, agents, and/or other persons or entities acting on Defendants’ behalf from violating the TCPA, 47 U.S.C. § 227, by text (calls), except for emergency purposes, to any cellular telephone numbers using an ATDS and/or artificial or prerecorded voice in the future

87. Plaintiff incorporates the allegations from all previous paragraphs as if fully set forth herein.

88. An injunction requiring Defendants to comply with 47 U.S.C. § 227(b)(3) and (c)(5). 201 C.M.R., § 12.04(3), MGL 93A, 47 C.F.R. § 64.1200(d) by (1) maintaining the required written policies; (2) providing training to their personnel engaged in telemarketing; and (3) maintaining a do-not-call list (4) To make any more calls or text messages without Consent.

**PRAYERS FOR RELIEF SOUGHT**

**WHEREFORE**, Plaintiff requests the following relief:

89. Injunctive relief prohibiting Defendants from calling ANY telephone numbers advertising their goods or services, except for emergency purposes, to ANY number on the National or State Do Not Call Registry using an ATDS and/or artificial or prerecorded voice in the future.
90. Because of Defendant's violations of the TCPA, Plaintiff should be awarded \$500 in damages for each violation or—where such regulations were willfully or knowingly violated—up to \$1,500 per violation, pursuant to 47 U.S.C. § 227(b)(3) and (c)(5).
91. Because of Defendants violations of M.G.L., c. 159C by engaging in and causing a pattern or practice of initiating telephone solicitations to Plaintiff's cellular phone without Plaintiff's express written consent on at least five (5) occasions, knowingly and willfully, Plaintiff seeks \$5000 in damages for each violation of the act.
92. Because of Defendants' violations of the Massachusetts and TCPA Do Not Call Registry, and 47 U.S.C. § 64.1200(c)(2), 47 U.S.C. § 64.1200(c)(5), 47 U.S.C. §227(b)(1)(A), Plaintiff seeks damages of up to \$500.00 per violation, and the court to find the calls where willful \$1500 per violation.
93. An injunction requiring Defendants to comply with 47 U.S.C. § 227(b)(3) and (c)(5). 201 C.M.R., § 12.04(3), MGL 93A, 47 C.F.R. § 64.1200(d) by (1) maintaining the required written policies; (2) providing training to their personnel engaged in telemarketing; and (3) maintaining a do-not-call list.

94. Award plaintiff double or treble damages under the M.G.L 93a statute for not being registered with the Massachusetts Office of Consumers affairs and Business Regulation (the "Office") as a Telephone Solicitor before texting (Calling) Massachusetts residents under 201 C.M.R. § 12.04.
95. Award Plaintiff Punitive damages and reasonable attorney's fees pursuant to M.G.L., c. 159C. and MGL 93a.
96. An order declaring that Defendants' actions, as set out above, violated the Telephone Consumer Practices Act, Massachusetts Telemarketers Solicitation Act 159 c and the Massachusetts Unfair and Deceptive Trade Practices Act MGL 93a.
97. Such other relief as the Court deems just and proper.

### **JURY DEMAND**

Plaintiff request a jury trial as to all claims of the complaint so triable.

Respectfully submitted,  
*Vincent Lawrence*  
Vincent Lawrence

March 21, 2024

111 Atlantic Avenue Apt 2

Boston, Ma 02126

Vlawrence02121@gmail.com

857-225-3862

## VERIFIED LAWSUIT

I Vincent Lawrence is the Plaintiff in this civil proceeding before this court. I am over the age of 21, I verify that I have personal knowledge of the facts stated above and hereby swear under pains and penalties of perjury that all of those facts are true and accurate.

Under the law, specifically 28 U.S.C. § 1746(2), I, Vincent Lawrence, am declaring under penalty of perjury that everything stated in this Verified Complaint is true and accurate to the best of my knowledge. I have firsthand knowledge and can testify in court about the information provided herein.

Respectfully submitted,  
*Vincent Lawrence*  
Vincent Lawrence

March 21, 2024


111 Atlantic Avenue Apt 2


Boston, Ma 02126

Vlawrence02121@gmail.com

857-225-3862



<b>NOTICE TO ATTORNEY GENERAL OF COMPLAINT ON CHAPTER 93A ACTION</b>		DOCKET NUMBER 2484CV00798 <i>G</i>	<b>Trial Court of Massachusetts The Superior Court</b>	
CASE NAME:	Lawrence, Vincent vs. Kalm Financial Inc et al		John E. Powers III, Acting Clerk of Court Suffolk County Civil	
Andrea Joy Campbell Consumer Protection Division One Ashburton Place Boston, MA 02108-1698		COURT NAME & ADDRESS Suffolk County Superior Court - Civil Suffolk County Courthouse, 12th Floor Three Pemberton Square Boston, MA 02108		
<p>Pursuant to G.L. c. 93A, § 10, enclosed is a copy of the complaint seeking relief under G.L. c. 93A. The action was filed in this court on 03/25/2024.</p>				
DATE	04/01/2024		CLERK OF COURTS John E. Powers III, Acting Clerk of Court	

<b>CIVIL ACTION COVER SHEET</b>		DOCKET NUMBER <span style="font-size: 1.5em;">24-07986</span>		<b>Massachusetts Trial Court Superior Court</b>		3	
				COUNTY Suffolk Superior Court (Boston)			
Plaintiff		Vincent Lawrence		Defendant:		Kalm Financial Inc.	
ADDRESS:		111 Atlantic Avenue Apt 2 Boston, Ma 02126-02110		ADDRESS:		Registered Agent Harvard Business Services, Inc. 16192 Coastal Highway Lewes, DE 19958.	
Plaintiff Attorney:		PRO SE		Defendant:		ClearOne Advantage, LLC	
ADDRESS:				ADDRESS:		1501 South Clinton Street # 320 Baltimore, MD 21224	
BBO:							
TYPE OF ACTION AND TRACK DESIGNATION (see instructions section on next page)							
CODE NO. B99	TYPE OF ACTION (specify) Mass Telemarketing Solicitation Act 159 C			TRACK F	HAS A JURY CLAIM BEEN MADE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
*If "Other" please describe:							
Is there a claim under G.L. c. 93A? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO				Is there a class action under Mass. R. Civ. P. 23? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
STATEMENT OF DAMAGES REQUIRED BY G.L. c. 212, § 3A							
The following is a full, itemized and detailed statement of the facts on which the undersigned plaintiff or plaintiff's counsel relies to determine money damages. (Note to plaintiff: for this form, do not state double or treble damages; indicate single damages only.)							
TORT CLAIMS							
A. Documented medical expenses to date							
1. Total hospital expenses							
2. Total doctor expenses							
3. Total chiropractic expenses							
4. Total physical therapy expenses							
5. Total other expenses (describe below)							
Letters							
		Subtotal (1-5): \$2.05					
B. Documented lost wages and compensation to date							
C. Documented property damages to date							
D. Reasonably anticipated future medical and hospital expenses							
E. Reasonably anticipated lost wages							
F. Other documented items of damages (describe below)							
Statutory Damages under MGL 159 c and MGL 93A							
		TOTAL (A-F): \$72,502.05					
G. Briefly describe plaintiff's injury, including the nature and extent of the injury:							
CONTRACT CLAIMS							
<input type="checkbox"/> This action includes a claim involving collection of a debt incurred pursuant to a revolving credit agreement. Mass. R. Civ. P. 8.1(a).							
Item #	Detailed Description of Each Claim						Amount
1.							
						Total	
Signature of Attorney/Self-Represented Plaintiff: X <u>Vincent Lawrence</u>				Date: March 24, 2024			
RELATED ACTIONS: Please provide the case number, case name, and county of any related actions pending in the Superior Court.							
CERTIFICATION UNDER S.J.C. RULE 1:18(5)							
I hereby certify that I have complied with requirements of Rule 5 of Supreme Judicial Court Rule 1:18: Uniform Rules on Dispute Resolution, requiring that I inform my clients about court-connected dispute resolution services and discuss with them the advantages and disadvantages of the various methods of dispute resolution.							
Signature of Attorney: X <u>Vincent Lawrence</u> <u>PRO SE</u>				Date: <u>March 24, 2024</u>			

## Summons

CIVIL DOCKET NO.

2484CV00798 G

Trial Court of Massachusetts  
The Superior Court

CASE NAME:

Vincent Lawrence

Plaintiff(s)

VS.

Clearone Advantage LLC

Defendant(s)

John E. Powers III  
SuffolkActing  
Clerk of Courts  
County

COURT NAME &amp; ADDRESS:

Suffolk Superior Civil Court  
Three Pemberton Square  
Boston, MA. 02108THIS SUMMONS IS DIRECTED TO Kalm Financial Inc (Defendant's name)

**You are being sued.** The Plaintiff(s) named above has started a lawsuit against you. A copy of the Plaintiff's Complaint filed against you is attached to this Summons and the original Complaint has been filed in the Court.

**YOU MUST ACT PROMPTLY TO PROTECT YOUR RIGHTS.****1. You must respond to this lawsuit in writing within 20 days.**

If you do not respond, the Court may decide the case against you and award the Plaintiff everything asked for in the Complaint. You will also lose the opportunity to tell your side of the story. You must respond to this lawsuit in writing even if you expect to resolve this matter with the Plaintiff. **If you need more time to respond, you may request an extension of time in writing from the Court.**

**2. How to Respond.**

To respond to this lawsuit, you must file a written response with the Court and mail a copy to the Plaintiff's attorney (or the Plaintiff, if unrepresented). You can do this by:

a) Filing your **signed original** response with the Clerk's Office for Civil Business, Suffolk Superior Court  
3 Pemberton Square Boston MA 02108 (address), by mail, in person, or electronically through the web portal [www.eFileMA.com](http://www.eFileMA.com) if the Complaint was e-filed through that portal, **AND**

b) Delivering or mailing **a copy** of your response to the Plaintiff's attorney/Plaintiff at the following address:

Vincent Lawrence 111 Atlantic Avenue Apt 2 Boston MA 02110

**3. What to Include in Your Response.**

An "Answer" is one type of response to a Complaint. Your Answer must state whether you agree or disagree with the fact(s) alleged in each paragraph of the Complaint. Some defenses, called affirmative defenses, must be stated in your Answer or you may lose your right to use them in Court. If you have any claims against the Plaintiff (referred to as "counterclaims") that are based on the same facts or transaction described in the Complaint, then you must include those claims in your Answer. Otherwise, you may lose your right to sue the Plaintiff about anything related to this lawsuit. If you want to have your case heard by a jury, you must **specifically** request a jury trial in your Court no more than 10 days after sending your Answer.



3. (cont.) Another way to respond to a Complaint is by filing a "Motion to Dismiss," if you believe that the Complaint is legally invalid or legally insufficient. A Motion to Dismiss must be based on one of the legal deficiencies or reasons listed under **Rule 12 of the Massachusetts Rules of Civil Procedure**. If you are filing a Motion to Dismiss, you must follow the filing rules for "Civil Motions in Superior Court," available at:

[www.mass.gov/law-library/massachusetts-superior-court-rules](http://www.mass.gov/law-library/massachusetts-superior-court-rules)

#### 4. Legal Assistance.

You may wish to get legal help from a lawyer. If you cannot get legal help, some basic information for people who represent themselves is available at [www.mass.gov/courts/selfhelp](http://www.mass.gov/courts/selfhelp).

#### 5. Required Information on All Filings.

The "Civil Docket No." appearing at the top of this notice is the case number assigned to this case and must appear on the front of your Answer or Motion to Dismiss. You should refer to yourself as the "Defendant."

Witness Hon. Michael D. Ricciuti, Chief Justice on \_\_\_\_\_, 20\_\_\_\_. (Seal)

Acting Clerk



**Note:** The docket number assigned to the original Complaint by the Clerk should be stated on this Summons before it is served on the Defendant(s).

#### PROOF OF SERVICE OF PROCESS

I hereby certify that on 03/28/24, I served a copy of this Summons, together with a copy of the Complaint in this action, on the Defendant named in this Summons, in the following manner (See Rule 4(d)(1-5) of the Massachusetts Rules of Civil Procedure):

I mailed a copy of the Complaint, Summons, and Cover sheet to the  
defendant Kalm Financial LLC, Registered agent address at 16192  
Coastal HWY, Lewes, DE 19958. By USPS Certified Return Receipt #  
9589 0710 5270 0386 7201 55 it was received on April 1, 2024

Dated: April 10, 2024

Signature:

Vincent Lawrence

N.B. TO PROCESS SERVER:

PLEASE ENTER THE DATE THAT YOU MADE SERVICE ON THE DEFENDANT IN THIS BOX - BOTH ON THE ORIGINAL SUMMONS AND ON THE COPY OF THE SUMMONS SERVED ON THE DEFENDANT.

Date: April 1, 2024

**Affidavit**  
**State of Massachusetts**  
**County of Suffolk**

SUFFOLK SUPERIOR COURT  
CIVIL CLERK'S OFFICE

2024 APR 10 P 12: 24

JOHN E. POWERS III  
ACTING CLERK MAGISTRATE

I, Vincent Lawrence, being of lawful age, hereby declare under the penalties of perjury that I have served the defendants a Summons, Complaint, and cover sheet via the United States Postal Service Return Receipt. These documents were addressed to the registered agent authorized by law to accept service on behalf of the defendants.

The package intended for ClearOne Advantage LLC was signed for by Paul Sisofo, as evidenced by Exhibit 1 attached hereto.

Similarly, the package intended for Kalm Financial LLC was signed for by Allison Rathmainner, as evidenced by Exhibit 2 attached hereto.

Pursuant to 28 U.S.C. § 1746(2), I, Vincent Lawrence, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

Vincent Lawrence

*Vincent Lawrence* April 10, 2024



USPS TRACKING#



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

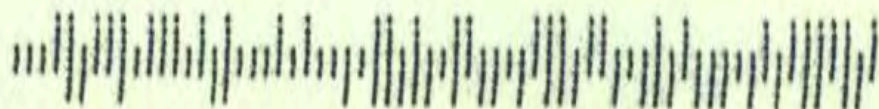
9590 9402 8604 3244 6898 82

United States  
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box •

Vincent Lawrence  
111 Atlantic Ave #208  
Boston. MA 02110

0-379558





**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Kalm Financial LLC  
16192 Costal HWY  
Lewes, DE 19958



9590 9402 8604 3244 6898 82

2. Article Number (Transfer from carrier label)

9589 0710 5270 0386 7201 55

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

☒ Agent☐ Addressee

B. Received by (Printed Name)

Allison Rahmmer

C. Date of Delivery

4/1/24

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type


☐ Adult Signature☐ Adult Signature Restricted Delivery☐ Certified Mail®☐ Certified Mail Restricted Delivery☐ Collect on Delivery☐ Collect on Delivery Restricted Delivery☐ Priority Mail Express®☐ Registered Mail™☐ Registered Mail Restricted Delivery☐ Signature Confirmation™☐ Signature Confirmation Restricted Delivery

ed Mail

ed Mail Restricted Delivery

(over \$500)



<b>Summons</b>	CIVIL DOCKET NO. <b>2484 CV 00798 G</b>	<b>Trial Court of Massachusetts</b> <b>The Superior Court</b> 
CASE NAME: <b>Vincent Lawrence</b>  vs.  <b>Kalm Financial Inc et al</b>	John E. Powers III Suffolk Acting Clerk of Courts County	COURT NAME & ADDRESS: Suffolk Superior Civil Court Three Pemberton Square Boston, MA. 02108

THIS SUMMONS IS DIRECTED TO Clear One Advantage, LLC (Defendant's name)

**You are being sued.** The Plaintiff(s) named above has started a lawsuit against you. A copy of the Plaintiff's Complaint filed against you is attached to this Summons and the original Complaint has been filed in the Court.

**YOU MUST ACT PROMPTLY TO PROTECT YOUR RIGHTS**

**1. You must respond to this lawsuit in writing within 20 days.**

If you do not respond, the Court may decide the case against you and award the Plaintiff everything asked for in the Complaint. You will also lose the opportunity to tell your side of the story. You must respond to this lawsuit in writing even if you expect to resolve this matter with the Plaintiff. **If you need more time to respond, you may request an extension of time in writing from the Court.**

**2. How to Respond.**

To respond to this lawsuit, you must file a written response with the Court and mail a copy to the Plaintiff's attorney (or the Plaintiff, if unrepresented). You can do this by:

a) Filing your **signed original** response with the Clerk's Office for Civil Business, Suffolk Superior Court  
3 Pemberton Square Boston MA 02108 (address), by mail, in person, or electronically through  
 the web portal [www.eFileMA.com](http://www.eFileMA.com) if the Complaint was e-filed through that portal, **AND**

b) Delivering or mailing a **copy** of your response to the Plaintiff's attorney/Plaintiff at the following address:

Vincent Lawrence 111 Atlantic Avenue Apt 2 Boston MA 02110

**3. What to Include in Your Response.**

An "Answer" is one type of response to a Complaint. Your Answer must state whether you agree or disagree with the fact(s) alleged in each paragraph of the Complaint. Some defenses, called affirmative defenses, must be stated in your Answer or you may lose your right to use them in Court. If you have any claims against the Plaintiff (referred to as "counterclaims") that are based on the same facts or transaction described in the Complaint, then you must include those claims in your Answer. Otherwise, you may lose your right to sue the Plaintiff about anything related to this lawsuit. If you want to have your case heard by a jury, you must **specifically** request a jury trial in your Court no more than 10 days after sending your Answer.



3. (cont.) Another way to respond to a Complaint is by filing a "Motion to Dismiss," if you believe that the Complaint is legally invalid or legally insufficient. A Motion to Dismiss must be based on one of the legal deficiencies or reasons listed under **Rule 12 of the Massachusetts Rules of Civil Procedure**. If you are filing a Motion to Dismiss, you must follow the filing rules for "Civil Motions in Superior Court," available at:

[www.mass.gov/law-library/massachusetts-superior-court-rules](http://www.mass.gov/law-library/massachusetts-superior-court-rules)

#### 4. Legal Assistance.

You may wish to get legal help from a lawyer. If you cannot get legal help, some basic information for people who represent themselves is available at [www.mass.gov/courts/selfhelp](http://www.mass.gov/courts/selfhelp).

#### 5. Required Information on All Filings.

The "Civil Docket No." appearing at the top of this notice is the case number assigned to this case and must appear on the front of your Answer or Motion to Dismiss. You should refer to yourself as the "Defendant."

Witness Hon. Michael D. Ricciuti, Chief Justice on \_\_\_\_\_, 20\_\_\_\_. (Seal)

Acting Clerk



**Note:** The docket number assigned to the original Complaint by the Clerk should be stated on this Summons before it is served on the Defendant(s).

#### PROOF OF SERVICE OF PROCESS

I hereby certify that on 03/28/24, I served a copy of this Summons, together with a copy of the Complaint in this action, on the Defendant named in this Summons, in the following manner (See Rule 4(d)(1-5) of the Massachusetts Rules of Civil Procedure):

I mailed a copy of the Summons Complaint and cover sheet to the defendant Clearone Advantage LLC. Registered agent address at 251 Little Falls Drive, Wilmington, DE 19808 by USPS Certified Return # 9589 0710 5270 0386 7201 48 and it was received April 1, 2024

Dated: April 10, 2024

Signature: Vincent Lawrence

#### N.B. TO PROCESS SERVER:

PLEASE ENTER THE DATE THAT YOU MADE SERVICE ON THE DEFENDANT IN THIS BOX - BOTH ON THE ORIGINAL SUMMONS AND ON THE COPY OF THE SUMMONS SERVED ON THE DEFENDANT.

Date: April 1, 2024

**Affidavit**  
**State of Massachusetts**  
**County of Suffolk**

SUFFOLK SUPERIOR COURT  
CIVIL CLERK'S OFFICE

2024 APR 10 P 12:24

JOHN E. POWERS III  
ACTING CLERK MAGISTRATE

I, Vincent Lawrence, being of lawful age, hereby declare under the penalties of perjury that I have served the defendants a Summons, Complaint, and cover sheet via the United States Postal Service Return Receipt. These documents were addressed to the registered agent authorized by law to accept service on behalf of the defendants.

The package intended for ClearOne Advantage LLC was signed for by Paul Sisofo, as evidenced by Exhibit 1 attached hereto.

Similarly, the package intended for Kalm Financial LLC was signed for by Allison Rathmainner, as evidenced by Exhibit 2 attached hereto.

Pursuant to 28 U.S.C. § 1746(2), I, Vincent Lawrence, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

Vincent Lawrence

*Vincent Lawrence* April 10, 2024



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Clearone Advantage LLC  
251 Little Falls Drive  
Wilmington, DE 19808



9590 9402 8604 3244 6898 99

2. Article Number (Transfer from sender label)

9589 0710 5270 0386 7201 48

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☐ Adult Signature☐ Adult Signature Restricted Delivery☐ Certified Mail®☐ Certified Mail Restricted Delivery☐ Collect on Delivery☐ Collect on Delivery Restricted Delivery

Registered Mail

Registered Mail Restricted Delivery

(over \$500)

☐ Priority Mail Express®☐ Registered Mail™☐ Registered Mail Restricted Delivery☐ Signature Confirmation™☐ Signature Confirmation

Restricted Delivery



USPS TRACKING#



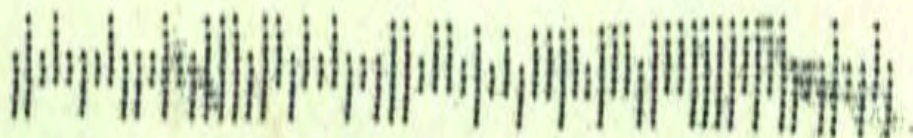
First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

9590 9402 8604 3244 6898 99

United States  
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

Vincent Lawrence  
111 Atlantic Ave #208  
Boston, MA 02110



LW

Commonwealth of Massachusetts

SUFFOLK, ss.

SUPERIOR COURT

CASE NO: 2484CV00798

G

VINCENT LAWRENCE

Plaintiff,

v.

KALM FINANCIAL INC.

CLEAR ONE ADVANTAGE LLC.

Defendant,

NOTICE OF SETTLEMENT

I am writing to inform you of a recent development in the matter of this case. After extensive negotiations between the plaintiff and ClearOne Advantage LLC., we have reached a settlement agreement that resolves all outstanding issues related to this case.

We are in the process of structuring and signing the Settlement agreement, we will proceed with the necessary steps to finalize the settlement and bring this matter to a close and keep the court informed.

Vincent Lawrence

111 Atlantic Ave, apt 208

Boston, Ma 02126

Vlawrence02121@gmail.com

*Vincent Lawrence April 15, 2024*

857-225-3862

CERTIFICATE OF SERVICE

I, Vincent Lawrence, hereby certify that on April 15, 2024, I served the defendant ClearOne Advantage LLC. attorney a copy of this document by email, and I affirm that proper service was completed in accordance

with the applicable rules of procedure.

*Vincent Lawrence* April 15, 2024  
Vincent Lawrence

111 Atlantic Ave, apt 208

Boston, Ma 02126

Vlawrence02121@gmail.com

857-225-3862

Darleen V. Karaszewski, Esq.

Managing Counsel

ClearOne Advantage

3500 Boston St. Suite 413

Baltimore, MD 21224

(410) 450-4859

Commonwealth of Massachusetts

SUFFOLK, ss.

SUPERIOR COURT

CASE NO: 2484CV00798

VINCENT LAWRENCE

Plaintiff,

v.

KALM FINANCIAL INC.

CLEAR ONE ADVANTAGE LLC.

Defendant,

2024 APR 22 A 10:09  
JOHN E. POWERS III  
ACTING CLERK, MAGISTRATE  
SUFFOLK SUPERIOR COURT  
CIVIL CLERK'S OFFICE

### REQUEST FOR DEFAULT

(Pursuant to Mass. R. Civ. P. 55(a))

I Vincent Lawrence the Plaintiff state that the complaint in which a judgment for affirmative relief is sought against the defendant (s) herein, was filed on April 10, 2024, with this court and the Cover sheet summons and a copy of the Verified complaint was mailed by certified Return receipt served on the Defendant Kalm Financial LLC. Registered agent Harvard Business Service, Inc. located at 16192 Coastal Highway Lewes, De 19958 and receive by them on April 1, 2024, and signed for by Allison Rathmanner See Exhibit 1.

The time within which the Defendant(s) shall serve a responsive pleading or otherwise defend pursuant to Rule 12(a), has expired and the defendant(s) herein has/have failed to serve or file an answer or otherwise defend as to the complaint 20 days of receiving the Summons and Verified Complaint package.

WHEREFORE, the Plaintiff makes application that the Defendant Kalm Financial Inc. be defaulted.

SIGNED UNDER THE PENALTIES OF PERJURY

I am the Plaintiff in this civil proceeding, pursuant to 28 U.S.C. § 1746(2), I, Vincent Lawrence, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

*Vincent Lawrence April 22, 2024*  
Vincent Lawrence

111 Atlantic Ave, apt 208

Boston, Ma 02126

Vlawrence02121@gmail.com

857-225-3862



CERTIFICATE OF SERVICE

I, Vincent Lawrence, hereby certify that on April 22, 2024, I served the defendant Kalm Financial LLC. Registered agent Harvard Business Service, Inc. located at 16192 Coastal Highway Lewes, De 19958 and all other attorneys of record a copy of this document by First Class mail, and I affirm that proper service was completed in accordance with the applicable rules of procedure.

*Vincent Lawrence* April 22, 2024  
Vincent Lawrence

111 Atlantic Ave, apt 208

Boston, Ma 02126

Vlawrence02121@gmail.com

857-225-3862

Darleen V. Karaszewski, Esq.

Managing Counsel

ClearOne Advantage

3500 Boston St. Suite 413

Baltimore, MD 21224

(410) 450-4859

# EXHIBIT 1

Department of State: Division of Corporations

[Allowable Characters](#)[HOME](#)

## Entity Details

## THIS IS NOT A STATEMENT OF GOOD STANDING

<u>File Number:</u>	7555978	<u>Incorporation Date /</u>	7/7/2023
		<u>Formation Date:</u>	(mm/dd/yyyy)
<u>Entity Name:</u>	KALM FINANCIAL, LLC		
<u>Entity Kind:</u>	Limited Liability Company	<u>Entity Type:</u>	General
<u>Residency:</u>	Domestic	State:	DELAWARE

**REGISTERED AGENT INFORMATION**

Name:	HARVARD BUSINESS SERVICES, INC.		
Address:	16192 COASTAL HWY		
City:	LEWES	County:	Sussex
State:	DE	Postal Code:	19958
Phone:	302-645-7400		

Additional Information is available for a fee. You can retrieve Status for a fee of \$10.00 or more detailed information including current franchise tax assessment, current filing history and more for a fee of \$20.00.

Would you like ☐ Status ☐ Status, Tax & History Information

For help on a particular field click on the Field Tag to take you to the help area.

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Summons

CIVIL DOCKET NO.

Trial Court of Massachusetts  
The Superior Court

CASE NAME:

Vincent Lawrence

Plaintiff(s)

VS.

Clearone Advantage LLC

Defendant(s)

John E. Powers III  
SuffolkActing  
Clerk of Courts  
County

COURT NAME &amp; ADDRESS:

Suffolk Superior Civil Court  
Three Pemberton Square  
Boston, MA. 02108THIS SUMMONS IS DIRECTED TO Kalm Financial Inc (Defendant's name)

**You are being sued.** The Plaintiff(s) named above has started a lawsuit against you. A copy of the Plaintiff's Complaint filed against you is attached to this Summons and the original Complaint has been filed in the Court.

**YOU MUST ACT PROMPTLY TO PROTECT YOUR RIGHTS****1. You must respond to this lawsuit in writing within 20 days.**

If you do not respond, the Court may decide the case against you and award the Plaintiff everything asked for in the Complaint. You will also lose the opportunity to tell your side of the story. You must respond to this lawsuit in writing even if you expect to resolve this matter with the Plaintiff. **If you need more time to respond, you may request an extension of time in writing from the Court.**

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3 Pemberton Square Boston MA 02108 (address), by mail, in person, or electronically through  
the web portal [www.eFileMA.com](http://www.eFileMA.com) if the Complaint was e-filed through that portal, **AND**

b) Delivering or mailing a **copy** of your response to the Plaintiff's attorney/Plaintiff at the following address:

Vincent Lawrence 111 Atlantic Avenue Apt 2 Boston MA 02110

**3. What to Include in Your Response.**

An "Answer" is one type of response to a Complaint. Your Answer must state whether you agree or disagree with the fact(s) alleged in each paragraph of the Complaint. Some defenses, called affirmative defenses, must be stated in your Answer or you may lose your right to use them in Court. If you have any claims against the Plaintiff (referred to as "counterclaims") that are based on the same facts or transaction described in the Complaint, then you must include those claims in your Answer. Otherwise, you may lose your right to sue the Plaintiff about anything related to this lawsuit. If you want to have your case heard by a jury, you must **specifically** request a jury trial in your Court no more than 10 days after sending your Answer.



3. (cont.) Another way to respond to a Complaint is by filing a "Motion to Dismiss," if you believe that the Complaint is legally invalid or legally insufficient. A Motion to Dismiss must be based on one of the legal deficiencies or reasons listed under **Rule 12 of the Massachusetts Rules of Civil Procedure**. If you are filing a Motion to Dismiss, you must follow the filing rules for "Civil Motions in Superior Court," available at:

[www.mass.gov/law-library/massachusetts-superior-court-rules](http://www.mass.gov/law-library/massachusetts-superior-court-rules)

#### 4. Legal Assistance.

You may wish to get legal help from a lawyer. If you cannot get legal help, some basic information for people who represent themselves is available at [www.mass.gov/courts/selfhelp](http://www.mass.gov/courts/selfhelp).

#### 5. Required Information on All Filings.

The "Civil Docket No." appearing at the top of this notice is the case number assigned to this case and must appear on the front of your Answer or Motion to Dismiss. You should refer to yourself as the "Defendant."

Witness Hon. Michael D. Ricciuti, Chief Justice on \_\_\_\_\_, 20\_\_\_\_. (Seal)

Acting Clerk



**Note:** The docket number assigned to the original Complaint by the Clerk should be stated on this Summons before it is served on the Defendant(s).

#### PROOF OF SERVICE OF PROCESS

I hereby certify that on 03/28/24, I served a copy of this Summons, together with a copy of the Complaint in this action, on the Defendant named in this Summons, in the following manner (See Rule 4(d)(1-5) of the Massachusetts Rules of Civil Procedure):

I mailed a copy of the Complaint, Summons, and Cover sheet to the  
defendant Kalm Financial LLC, Registered agent address at 16192  
Coastal HWY, Lewes, DE 19958. By USPS Certified Return Receipt #  
9589 0710 5270 0386 7201 55 it was received on April 7, 2024

Dated: April 10, 2024

Signature:

Vincent Lawrence

N.B. TO PROCESS SERVER:

PLEASE ENTER THE DATE THAT YOU MADE SERVICE ON THE DEFENDANT IN THIS BOX - BOTH ON THE ORIGINAL SUMMONS AND ON THE COPY OF THE SUMMONS SERVED ON THE DEFENDANT.

Date: April 2, 2024

SUCV 2024-0798

**Affidavit**  
**State of Massachusetts**  
**County of Suffolk**

SUFFOLK SUPERIOR COURT  
CIVIL CLERK'S OFFICE

2024 APR 10 P 12:24

JOHN F. POWERS III  
ACTING CLERK OF COURT

I, Vincent Lawrence, being of lawful age, hereby declare under the penalties of perjury that I have served the defendants a Summons, Complaint, and cover sheet via the United States Postal Service Return Receipt. These documents were addressed to the registered agent authorized by law to accept service on behalf of the defendants.

The package intended for ClearOne Advantage LLC was signed for by Paul Sisofo, as evidenced by Exhibit 1 attached hereto.

Similarly, the package intended for Kalm Financial LLC was signed for by Allison Rathmainner, as evidenced by Exhibit 2 attached hereto.

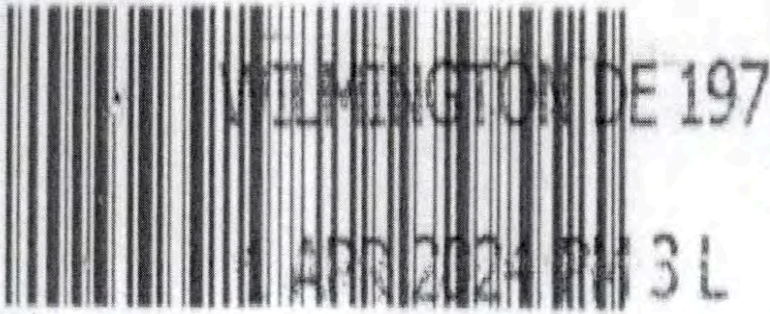
Pursuant to 28 U.S.C. § 1746(2), I, Vincent Lawrence, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

Vincent Lawrence

*Vincent Lawrence* April 10, 2024



USPS TRACKING#



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

9590 9402 8604 3244 6898 82

SUCV

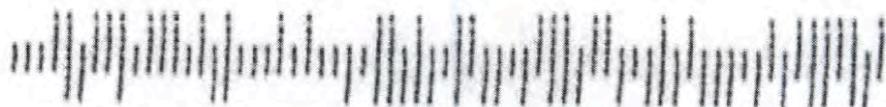
2024.0798

United States  
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box •

Vincent Lawrence  
111 Atlantic Ave #208  
Boston, MA 02110

1-379558





**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Kalm Financial LLC  
16192 Coastal HWY  
Lewes, DE 19958



9590 9402 8604 3244 6898 82

2. Article Number (Transfer from carrier label)

9589 0710 5270 0386 7201 55

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

☒ Agent☐ Address

B. Received by (Printed Name)

Allison Rahmeyer

C. Date of Delivery

4/1/24

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

SUCV  
2024.  
0798

3. Service Type

☐ Adult Signature☐ Adult Signature Restricted Delivery☐ Certified Mail®☐ Certified Mail Restricted Delivery☐ Collect on Delivery☐ Collect on Delivery Restricted Delivery☐ Priority Mail Express®☐ Registered Mail™☐ Registered Mail Restricted Delivery☐ Signature Confirmation☐ Signature Confirmation Restricted Delivery

ed Mail

ed Mail Restricted Delivery

(over \$500)



COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT  
CIVIL ACTION NO. 2484CV00798

VINCENT LAWRENCE,

Plaintiff,

v.

KALM FINANCIAL, INC. and  
CLEAR ONE ADVANTAGE, LLC,

Defendants.

**STIPULATION OF DISMISSAL WITH PREJUDICE  
AS TO CLEAR ONE ADVANTAGE, LLC**

NOW COMES Plaintiff Pro Se, VINCENT LAWRENCE, pursuant to Mass. R. Civ. P. 41(a)(1)(i), and hereby stipulates and agrees to dismiss all claims and this lawsuit as against the Defendant CLEAR ONE ADVANTAGE, LLC, with prejudice, without costs or attorneys' fees, and with all rights of appeal waived.

Respectfully submitted,

Plaintiff Pro Se,

/s/ Vincent Lawrence

Vincent Lawrence  
111 Atlantic Avenue, Apt. 208  
Boston, MA 02126  
T: 857-225-3862  
VLawrence02121@gmail.com

**CERTIFICATE OF SERVICE**

I, Vincent Lawrence, hereby certify that on this \_\_\_\_\_ day of April, 2024, a copy of the foregoing document was served on the following via e-mail or regular U.S. Mail, postage prepaid:

Darleen V. Karaszewski, Esq.  
Managing Counsel  
Clear One Advantage  
3500 Boston Street, Suite 413  
Baltimore, MD 21224  
T: 410-450-4859

Kalm Financial, Inc.  
16191 Coastal Highway  
Lewes, DE 19958

/s/ Vincent Lawrence

Vincent Lawrence

Commonwealth of Massachusetts

SUFFOLK, ss.

SUPERIOR COURT

CASE NO: 2484CV00798

G

VINCENT LAWRENCE

Plaintiff,

v.

ClearOne Advantage LLC . et al.

Defendant,

kg

**NOTICE OF 14 EXTENSION TO DEFENDANT**

I the Plaintiff Vincent Lawrence have given the defendant Kalm Financial Inc. through their attorney Matthew Pitts , a 14-day extension of time for defendant Kalm Financial LLC. to respond to plaintiff Vincent Lawrence's Verified Complaint, originally due on [April 21, 2024]. I the plaintiff agreed to extend the deadline for the defendant's response to the Verified Complaint until [May 9, 2024], which is 19 days beyond the original due date to defendant Kalm Financial Inc. through their attorney Matthew Pitts. Plaintiff respectfully request that the court take notice of the 14 day extension from Friday April 26, 2024, until May 9, 2024.

Respectfully Submitted,

Vincent Lawrence /s/ Vincent Lawrence

111 Atlantic Ave, apt 208

Boston, Ma 02126

Vlawrence02121@gmail.com

857-225-3862

#### **CERTIFICATE OF SERVICE**

I hereby certify that on April 30, 2024, I electronically filed the foregoing Notice of 14 day extension until May 9, 2024, for the defendants Kalm Financial Inc. through their attorney Matthew Pitts request.

Respectfully Submitted,

Vincent Lawrence /s/ Vincent Lawrence

111 Atlantic Ave, apt 208

Boston, Ma 02126

Vlawrence02121@gmail.com

857-225-3862

Matthew R. Pitts, Law Partner

PITTS LAW, PLLC

14314 S. Fort Pierce Way

Herriman, UT 84096

(801) 427-2500

matt@pittslawyer.com



10

Commonwealth of Massachusetts

SUFFOLK, ss.

SUPERIOR COURT

CASE NO: 2484-CV- 00798

VINCENT LAWRENCE

Plaintiff,

v.

KALM FINANCIAL INC.

CROSS MORTGAGE, LLC

AMEND FINANCE LLC,

TURBO DEBT LLC,

JOHN DOES

JANE DOES

Defendant,

SUFFOLK SUPERIOR COURT  
CIVIL CLERK'S OFFICE  
2024 MAY -3 P 12:11  
JOHN E. POWERS III  
ACTING CLERK

AMENDED VERIFIED COMPLAINT

1. This is an action for damages brought by an individual consumer for violations of the Telephone Consumer Protection Act, 47 U.S.C. § 227 ("TCPA"), Massachusetts Telemarketing Solicitation Act 159 c, (" MGL 159") Massachusetts Unfair and Deceptive

Trade Practices ("MGL 93a"), Massachusetts Telephone Solicitor's Access to the Massachusetts Do Not Call Registry. 201 Mass. Reg. 12.04. and the Massachusetts Wiretapping Statute, G. L. c. 272 s 99.

#### **PARTIES**

2. Plaintiff ("Vincent Lawrence") is a natural person and is a resident of Suffolk County Massachusetts and lives at 111 Atlantic Avenue Apt 2, Boston, Ma 02120.
3. Defendant Kalm Financial LLC. is a Delaware Limited Liability Company debt settlement and credit counseling company whose registered agents address is Harvard Business Services, inc. 16192 Coastal Highway Lewes, DE 19958.
4. Defendant Cross-country Mortgage, LLC (Cross") is a mortgage company located at 2160 Superior Avenue, Cleveland, OH 44114.
5. Defendant Amend Finance LLC. is a mortgage company located at 610 East Bell Road Suite 2-360, Phoenix, AZ 85022.
6. Defendant Turbo Debt LLC. ("Turbo") is a limited liability company out of Delaware with a registered agent named W/K incorporating Service, Inc. with an address of 3500 S Dupont Highway Dover Delaware 19901.
7. Defendants John DOEs whose true identity is not known to the Plaintiff
8. at this time. Plaintiff represents that this entity can at this time be described as a
9. Robo caller, Solicitor and Marketer who is associated with the phone numbers 215-268-3027, (215) 613- 4864, (215) 941-5262, (215) 488-7580, (215) 268-3217, (215) 613-

4788, (215) 268-3217, and (610) 938-6974, 857-219-0834, 857-217-0709, 857-219-0747, 339-444-0188.

10. Defendant Jane DOEs whose true identity is not known to the Plaintiff

11. at this time. Plaintiff represents that this entity can at this time be described as a

12. Robo caller, Solicitor and Marketer who is associated with the phone numbers 215-268-

3027, (215) 613- 4864, (215) 941-5262, (215) 488-7580, (215) 268-3217, (215) 613-

4788, (215) 268-3217, and (610) 938-6974, 857-219-0834, 857-217-0709, 857-219-

0747, 339-444-0188, 339-565-2282

#### **JURISDICTION AND VENUE**

13. This Court has subject matter jurisdiction over this action pursuant to Ma. State Statutes

MGL 93a and M.G.L., c. 159C as the action arises under the Massachusetts Telephone Solicitation, 201 Mass. Reg. 12.04. and the Massachusetts Wiretapping Statute, G. L. c. 272 s 99.

14. This Court has personal jurisdiction over Defendants Kalm, Cross, Amend Turbo, John and or Jane Doe venue is proper in this District because Defendants directs, markets, and provide their businesses activities to this District, Defendants' unauthorized marketing scheme was directed by Defendants above to consumers in this District, and they transact business in Massachusetts and/or contract to supply their goods and service in Massachusetts.

15. This Court has personal jurisdiction because plaintiff was harmed by defendants in Suffolk County.



### FACTUAL ALLEGATIONS

16. Plaintiff Vincent Lawrence ("Plaintiff") owns a cellular telephone with the number 857-225-3862 registered to it.
17. Plaintiff makes emergency calls from this device as well as uses it as his home telephone.
18. This phone number was assigned to a cellular telephone service which Plaintiff pays for monthly bill with T-Mobile.
19. Plaintiff registered his two telephone 857-225-3862 and 857-225-3748 on the National and Massachusetts State Do Not Call Registry on November 15, 2023.
20. On November 15, 2023, The Nation Do Not Call Registry then sent me two email informing me that my telephone number 857-225-3748 was registered on November 15, 2023.<sup>1</sup>
21. Also on November 15, 2023, the Federal Trade Commission ("FTC") also sent an email that stated "Thank you for registering your phone number with the National Do Not Call Registry. You successfully registered your phone number ending in 3862 on April 01, 2011. Most telemarketers will be required to stop calling you 31 days from your registration date".
22. Defendants Kalm, Cross, Amend, Turbo, John and Jane Does have caused multiple text messages, Robo Calls, Live calls with an Automatic Telephone Dialing System ("ATDS")

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<sup>1</sup> 159C Section 7. If the Federal Communications Commission establishes a single national database of telephone numbers of consumers who do not wish to receive unsolicited telephonic sales calls pursuant to 47 U.S.C. section 227 (c)(3), the office shall include that part of such single national database that relates to the commonwealth in the listing established pursuant to this chapter.

and pre-recorded messages to be transmitted to Plaintiff's cellular telephone number 857-225-3862 without an emergency purpose or any kind of consent.

23. Defendants' Kalm, Cross, Amend, Turbo, John and or Jane Does generates new customers by sending text, Robo calls and live calls with an Automatic Telephone Dialing System and prerecorded artificial messages.
24. Defendants Kalm, Cross, Turbo, John and Jane Does illegally recorded me without my consent or my permission.

**Massachusetts is a Two-Party Consent State**

25. Massachusetts is a two-party consent state that requires the consent of any individual whose voice is being recorded.
26. Recording another individual's words without the individual's knowledge or consent is a felony in Massachusetts.
27. The Massachusetts Wiretapping Statute, G. L. c. 272 s 99, makes it illegal to:
- secretly hear, secretly record, start the recording without getting the parties consent to record or aid another to secretly hear or secretly record the contents of any wire or oral communication through the use of any intercepting device by any person other than a person given prior authority by all parties to such communication.
28. Defendants Kalm, Cross, Amend, Turbo, John and or Jane Does deliberately falsifies or authorized the information transmitted to my caller ID to display a local telephone number to disguise their identity.
29. The FTC calls this Spoofing " Spoofing is when a caller deliberately falsifies the information transmitted to your caller ID display to disguise their identity. Scammers

often use neighbor spoofing so it appears that an incoming call is coming from a local number, or spoof a number from a company or a government agency that you may already know and trust”.

30. Defendants Kalm, Cross, Amend, Turbo, John and or Jane Does called me from several telephone numbers including causing my caller I.D to display several number including 215-268-3027, (215) 613- 4864, (215) 941-5262, (215) 488-7580, (215) 268-3217, (215) 613- 4788, (215) 268-3217, and (610) 938-6974, 857-219-0834, 857-217-0709, 857-219-0747, 339-444-0188. 215-613-4864 ,

31. Defendants Kalm, Cross, Amend, Turbo, John and or Jane Does employed or authorized to be employed the use of an ATDS, hardware and/or software with the capacity to use a random or sequential number generator to either store or produce phone numbers to be called to plaintiffs’ number that on the Federal & State DNCR.<sup>2</sup>

32. Defendants Kalm, Cross, Turbo, Amend, John and or Jane Does intentionally caused and used a blocking device or service to circumvent the plaintiffs use of a call identification service or device. This is contrary to the TCPA, M. G. L. c. 159C, § 4. And G.L.C 93 a.

33. The purpose of Defendants’ Kalm, Cross, Amend, Turbo, John and or Jane Does, calls, text messages and prerecorded calls to plaintiff cellular telephone was to advertise, promote, and/or market and/or to solicit the sale of their consumer goods and or services.

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<sup>2</sup> See *Facebook, Inc. v. Duguid*, 141 S. Ct. 1163, 1173 (2021).

34. Plaintiff has never had an Established Business Relationship with defendants Kalm, Cross, Amend, Turbo, John or Jane Does to place any calls to his personal cellular telephone.
35. When plaintiff answered these calls he would here a pause and then a click and then the robo messages would start or a live agent would come on the phone and it sounded like they were in a call center.
36. Plaintiff would sometimes states verbally stop calling this phone and add me to your internal do not call list and send me a copy to my address 111 Atlantic Avenue Boston, Ma but the voice would keep talking or the live agent ignored me and placed more calls.
37. Defendant Kalm, Cross, Amend, Turbo, John and or Jane Does willfully placed or authorized these auto-dialed and or prerecorded calls and voice messages to Plaintiff cellular telephone without Plaintiffs express or written consent or an emergency purpose.
38. Defendants Kalm, Cross, Amend, Turbo, John and or Jane Does repetitive, incessant calls have caused Plaintiff emotional harm and distress, embarrassment, aggravation, discomfort, and other losses.
39. The ongoing calls from defendants Kalm, Cross, Amend, Turbo, John and or Jane Does are harassing and abusive and invaded plaintiffs privacy.
40. Defendants Kalm, Turbo called me to sell me debt settlements services.
41. Defendants Cross and Amend, called me to sell me Mortgage services.

**Defendant Kalm Financial LLC Calls**

42. Defendant Kalm has used an ATDS to call and to text my cellular telephone from at least 20 different numbers. See Below



43. When the defendants called me from Kalm Financial Inc. a gentlemen with an accent stated his name was Hubert and he stated he got my number when Kalm conducted a research program.
44. Defendant Kalm Financial Inc. have caused at least Six Prerecorded Artificial Voice Messages to be transmitted to Plaintiff's cellular telephone number, 857-225-3862.
45. The defendant Kalm called me with prerecorded messages that stated "***Hi, we are calling from call Financial. We're here to assist you with your debt and financial recovery. Please call us at 8448022274. That's 844-802-2274 to begin. Thank you and have a great day***" trying to sell me debt relief services.
46. The defendant Kalm agent stated I could call him back on 2152683027 or 844-8022274 on an extension of 118, I never gave him consent at all on the call he said the call was being recorded.

Feb 22, 2024, 10: 44 AM IN (215) 268-3027

Feb 26, 2024, 11:35 AM IN (215) 613- 4864

Feb 27, 2024, 9:59 AM IN (215) 941-5262

March 12, 2024, 3:24 PM IN (215) 268-3027

March 10, 2024, 9:06 AM IN (215) 488-7580

March 13, 2024, 8:06 AM IN (215) 268-3217

Mar 13, 2024, 11:07 am (617)-446-9031

Mar 5, 2024, at 9:40 AM (484)-251-4734

#### KALM TEXT MESSAGES

47. Defendant Kalm Financial Inc. have caused at least Eight text messages, all of the Text messages was transmitted to Plaintiff's cellular telephone number below to Plaintiff cellular telephone number without Consent or an emergency purpose to 857-225-3862 on:

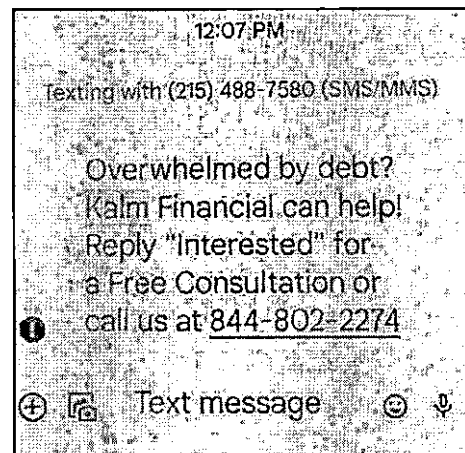
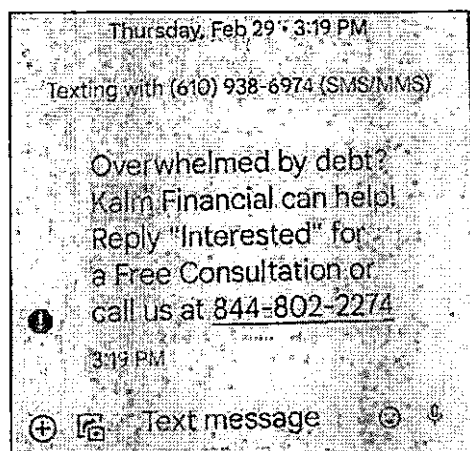
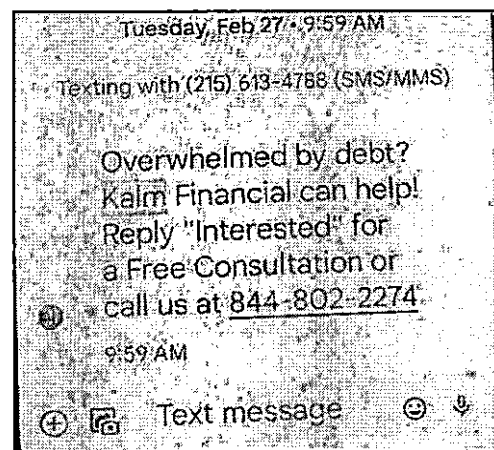
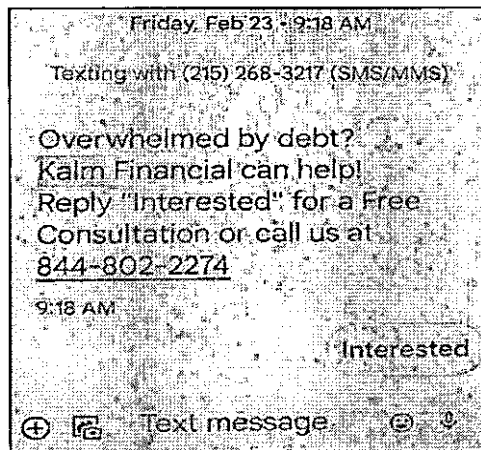
Feb 27, 2024, 6:59 AM IN (215) 613- 4788

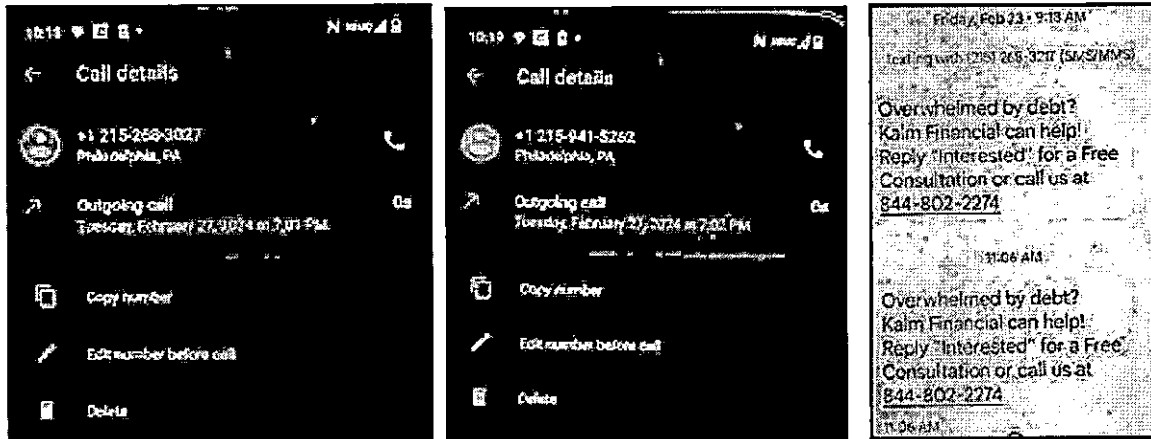
Feb 23, 2024, 6:18 AM IN (215) 268-3217

Feb 23, 2024, 9:18 AM IN (215) 268-3217

Feb 23, 2024, 11:06 AM IN (215) 268-3217

Feb 29, 2024, 3:19 PM IN (610) 938-6974





48. The district has found that Pre-recorded calls without consent or for an emergency purpose is a violation of the TCPA.<sup>3</sup>

49. Defendants Kalm left at least Nine Artificial Pre-recorded messages on Plaintiffs cellular telephone without consent, Established Business Relationship or for an emergency purpose.

50. The TCPA statute and the FCC Regulations by its terms exempts only calls made for emergency purposes and calls made with the prior express consent of the called party, 47 U.S.C. § 227(b)(1)(A)(iii), and the prohibition is not limited to telephone solicitations. See *In re Rules & Regs. Implementing the Tel. Consumer Prot. Act of 1991*, 30 FCC Rcd. 7961, 8022-23 (2015) (noting that "the TCPA contains unique protections for wireless consumers because autodialed and prerecorded calls are increasingly intrusive in the wireless context, . . . [and] the intrusion on the consumer's privacy from unwanted calls

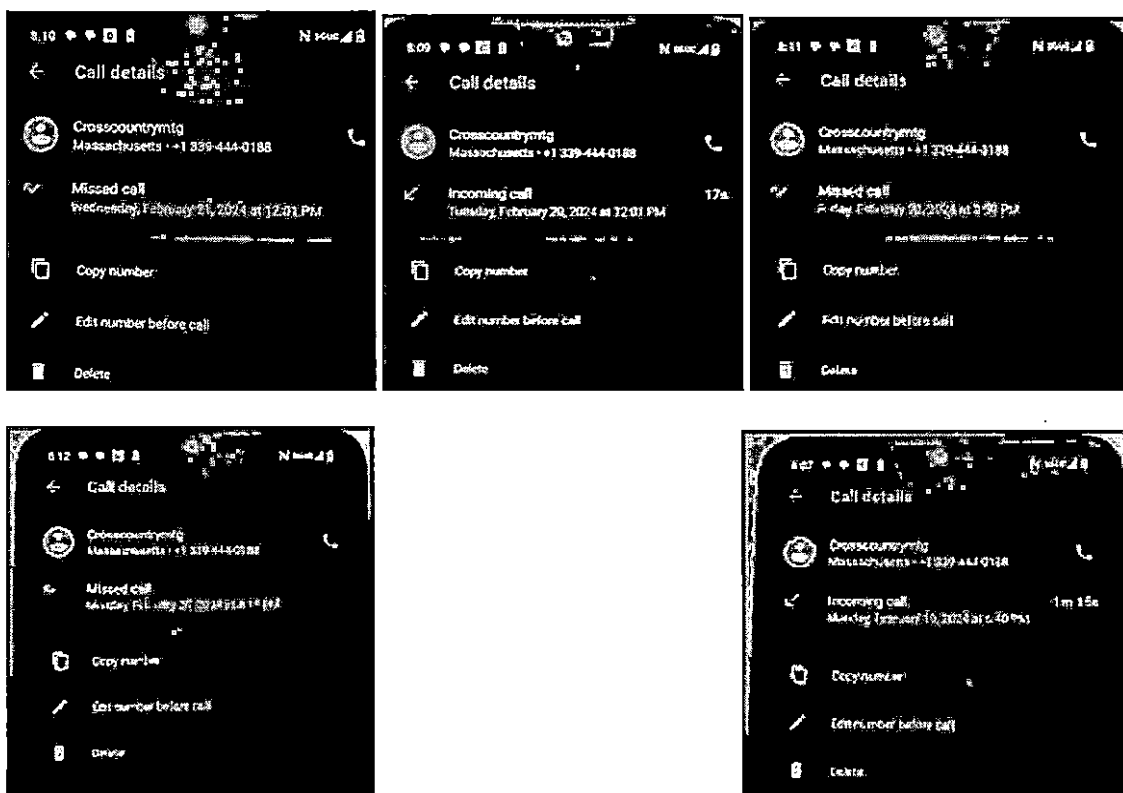
<sup>3</sup> 227(b)(1)(A)(iii) of the TCPA, which broadly prohibits "*any person*" from using "*any [ATDS1] or an artificial or prerecorded voice*" to make "*any call (other than a call made for emergency purposes or made with the prior express consent of the called party) . . . to any telephone number assigned to a . . . cellular telephone service . . .*" 47 U.S.C. § 227(b)(1)(A)(iii)

may actually be greater with wireless than wireline calls, where the calls are received on a phone that the consumer may carry at all times".<sup>4</sup>

### DEFENDANT CROSS CALLS

51. Defendant Cross called my cellular telephone more than one and or two times within a 12 month period.

52. Defendant Cross called me on February 19<sup>th</sup>, 20<sup>th</sup>, 21<sup>st</sup> 23<sup>rd</sup>, and the 26<sup>th</sup>, 2024 and other dates without an emergency purpose or express or written consent.



<sup>4</sup> Elements of a TCPA claim under 227(b)(1)(A)(iii) are: **(1)** the defendant used an ATDS or artificial or prerecorded voice, **(2)** to call a telephone number assigned to a cellular service or service for which the called party is charged for the call); further, a consumer who has provided express consent to receive autodialed or prerecorded/artificial voice calls may revoke that consent. See In re Rules & Regs. Implementing the Tel. Consumer Prot. Act of 1991, 30 FCC Rcd. 7961, 7966 (July 10, 2015) ("Consumers have a right to revoke consent, using any reasonable method including orally or in writing").

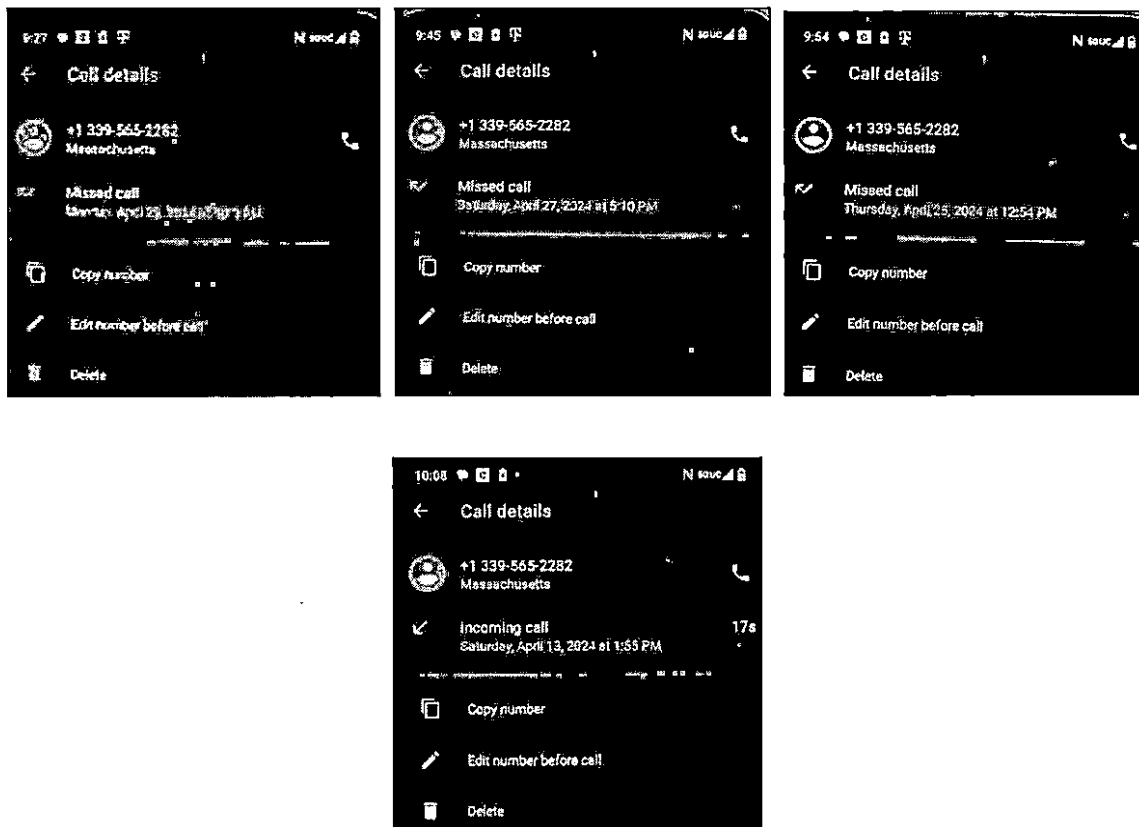


### DEFENDANT AMEND CALLS

53. Defendant Amend called my cellular telephone more than one and or two times within a 12 month period.

54. Defendant Amend called my cellular telephone on several occasions from 339-565-2282 ,without my consent or for an emergency purpose.

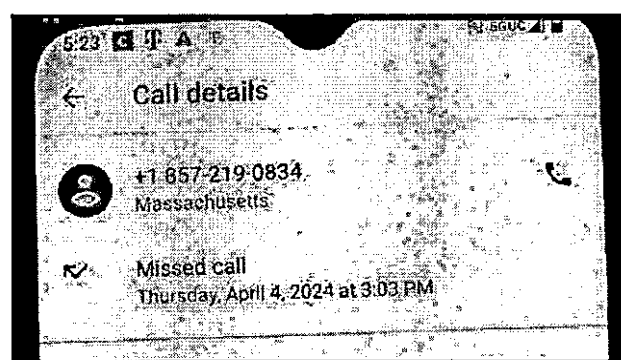
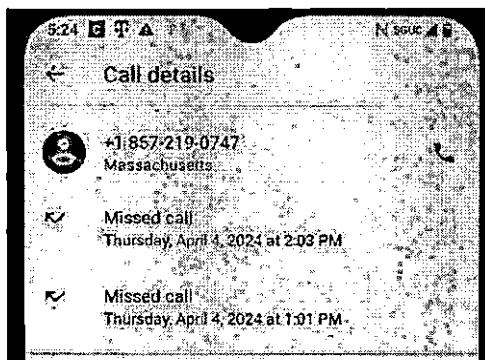
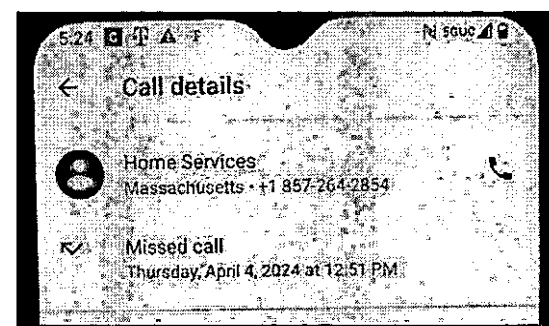
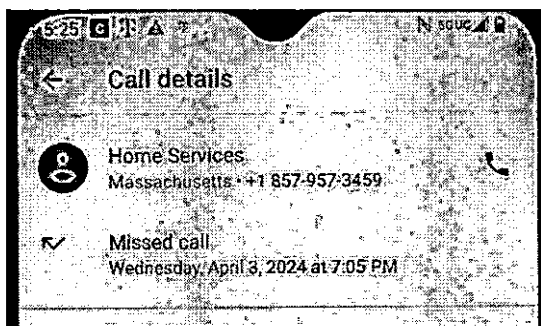
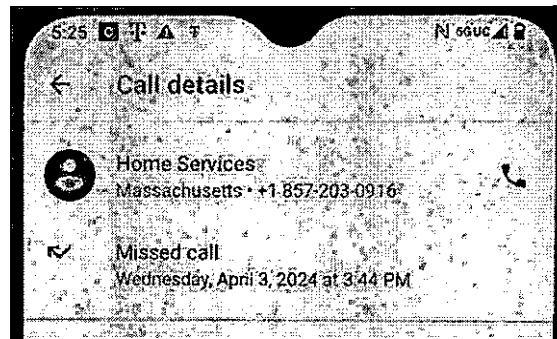
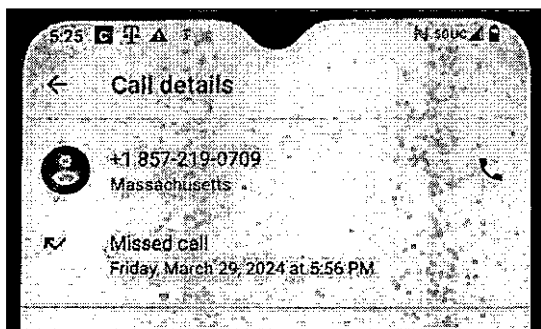
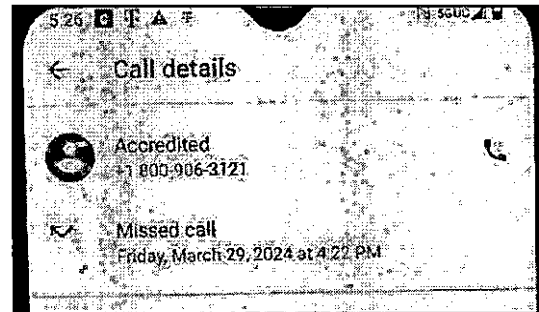
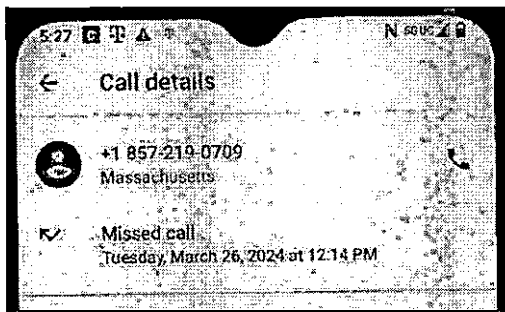
55. Defendant Amend called me on April 29, 2024, at 5:10 PM, April 27, at 5:10 , PM, April 25, at 12:54 PM. April 13, 2024 1:55 PM, my caller I.D Displayed 339-565-2282. See Below

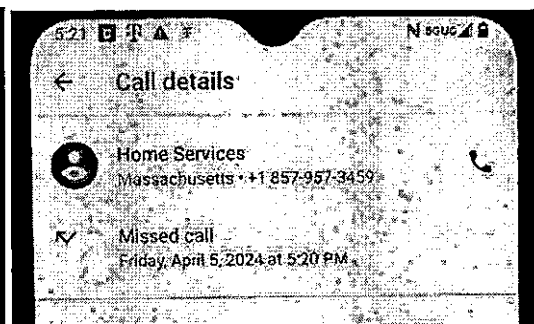
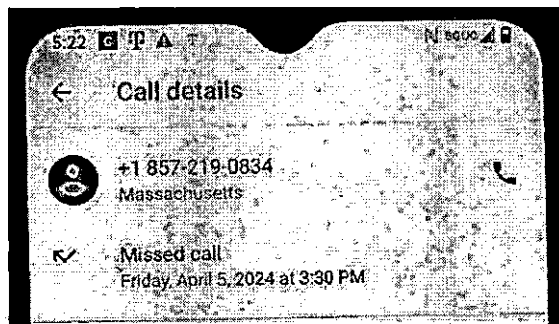
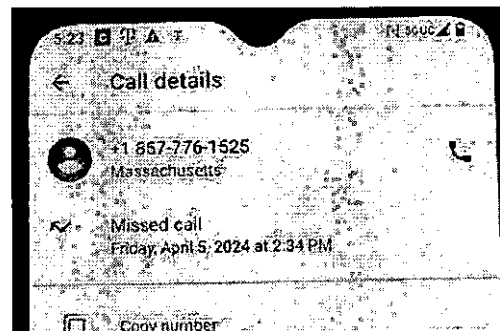
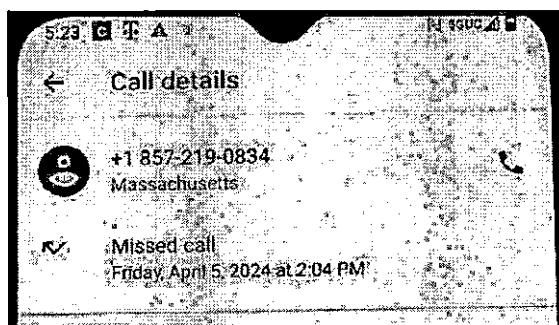
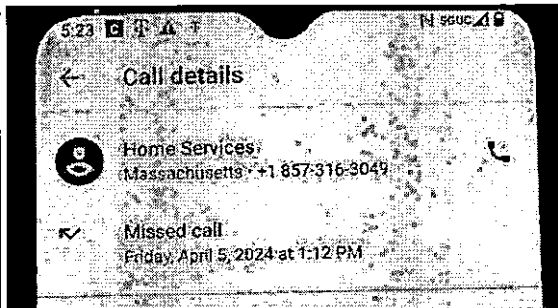
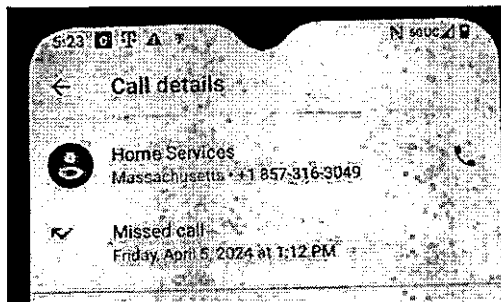
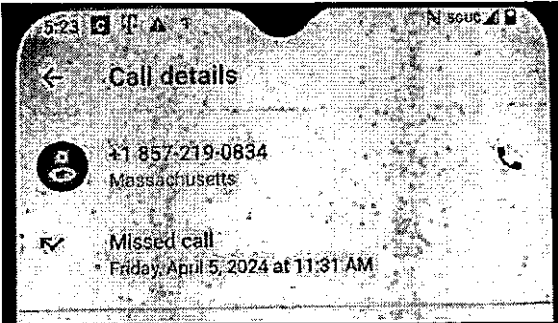
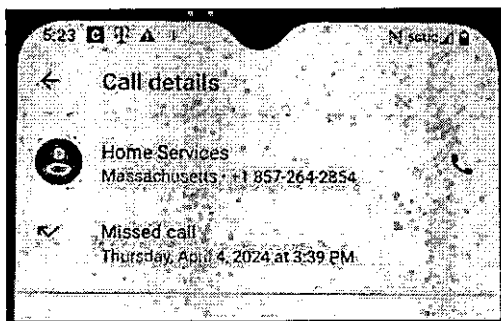


### DEFENDANT CROSS CALLS

56. Defendant Turbo called me over 34 times for marketing and solicitation purposes, from several different numbers, without consent or an emergency purpose see below.

57. Defendants have caused multiple calls to be transmitted to Plaintiff's cellular telephone.







# COUNT I

Violations of the Telephone Consumer Protection Act,

**47 U.S.C. §227(b)(1)(A)-on behalf of Plaintiff**

**DEFENDANTS KALM, AMEND, CROSS & TURBO, JOHN AND JANE DOE**

58. Plaintiff incorporates the allegations from all previous paragraphs as if fully set forth herein.
59. The foregoing acts and omissions of Defendants and/or their affiliates, agents, and/or other persons or entities acting on Defendants' behalf constitute numerous and multiple violations of the TCPA, 47 U.S.C. § 227, by making calls, except for emergency purposes, to the Plaintiff's cellular telephone number using an ATDS and/or artificial or prerecorded voice.
60. As a result of the acts of Defendants (and/or their affiliates, agents, and/or other persons or entities acting on Defendants' behalf) in violation of the TCPA, 47 U.S.C. § 227, Plaintiff presumptively is entitled to an award of \$500 in damages for each and every call made to his cellular telephone number using an ATDS and/or artificial or prerecorded voice in violation of the statute, pursuant to 47 U.S.C. § 227(b)(3)(B).
61. Plaintiff is also entitled to and does seek injunctive relief prohibiting Defendants and/or their affiliates, agents, and/or other persons or entities acting on Defendants' behalf from violating the TCPA, 47 U.S.C. § 227, by making calls, except for emergency purposes, to any cellular telephone numbers using an ATDS and/or artificial or prerecorded voice in the future.
62. Defendants' violations were willful and/or knowing.
63. As a result of Defendants' knowing or willful conduct, Plaintiff is entitled to an award of \$1,500.00 in statutory damages per each violation of 47 U.S.C. §227(b)(1)(A).



**COUNT II**

**Violation of the TCPA's DNC provisions**

**DEFENDANTS KALM, CROSS , AMEND, TURBO, JOHN AND JANE DOE**

64. Plaintiff incorporates the allegations from all previous paragraphs as if fully set forth herein.
65. Defendants violated the TCPA by (a) initiating telephone solicitations to persons and entities whose telephone numbers were listed on the Do Not Call Registry, or (b) by the fact that others made those calls on its behalf. *See* 47 U.S.C. § 227(c); 47 C.F.R. § 64.1200(c)(2).
66. Defendants' violations were willful and/or knowing.
67. As a result of Defendants' violations of the TCPA, 47 U.S.C. § 227(c)(5), Plaintiff is entitled to an award of up to \$500 in damages for each call made in violation of this section. The Court may award up to \$1,500 if the violation was found to be "willful or knowing."
68. Plaintiff is also entitled to and does seek injunctive relief prohibiting Defendants Best and Falls and/or their affiliates, agents, and/or other persons or entities acting on Defendants' behalf from making calls advertising their goods or services, except for emergency purposes, to any number on the National Do Not Call Registry.
69. As a result of Defendants' knowing or willful conduct, Plaintiff is entitled to an award of \$1,500.00 in statutory damages per each violation of the 47 U.S.C. § 227(c)(5).

**COUNT III**

**(Violation of the MTSA )**

**DEFENDANTS KALM, CROSS, AMEND, TURBO, JOHN AND JANE DOE**

70. Plaintiff incorporates the allegations from all previous paragraphs as if fully set forth herein.

71. Defendants made unsolicited telephonic sales calls to Plaintiff.

72. Defendants made these calls to Plaintiff without express written consent or permission, in violation of M.G.L., c. 159C, § 1.

73. Defendants falsified and displaced caller identification, in violation of M.G.L., c. 159C, § 4 (and 201 C.M.R. § 12.02(5)).

74. Defendants failed to register with the Office, in violation of 201 C.M.R., § 12.04.

Telephone solicitors making calls to Massachusetts consumers are required “to properly register on an annual basis with the Office.”

75. Defendants have failed to satisfy a basic, threshold requirement for conducting telephone solicitations in Massachusetts, that telephone solicitors must “have an approved registration prior to soliciting any Massachusetts consumers.” 201 C.M.R., § 12.04(3).

76. Defendants have also failed to comply with the requirement of 201 C.M.R. § 12.04(3) that they keep and consult the latest version of the Massachusetts do-not-call registry.

77. As a result of this conduct, Defendants have violated the MTSA, and they are liable to Plaintiff for damages, including actual damages or statutory damages of up to \$5,000 for each MTSA violation, whichever is greater.

#### **COUNT IV**

**(Violation of the MTSA Do Not Call Provisions)**

**DEFENDANTS KALM, CROSS, AMEND, TURBO, JOHN AND JANE DOE**

78. Plaintiff incorporates the allegations from all previous paragraphs as if fully set forth herein.

79. Defendants made unsolicited telephonic sales calls and text to Plaintiff when Plaintiff was registered with the Massachusetts do-not-call registry, in violation of M.G.L., c. 159C, § 3 (and 201 C.M.R. § 12.02(1)).

80. As a result of this conduct, Defendants knowingly and willfully have violated the MTSA, and they are liable to Plaintiff for damages, including actual damages or statutory damages of up to \$5,000 per violation, whichever is greater.

**COUNT V**  
**VIOLATION OF THE MASSACHUSETTS UNFAIR AND DECEPTIVE**  
**TRADE PRACTICES ACT M.G.L.c 93A**  
**DEFENDANTS KALM, CROSS, AMEND, TURBO, JOHN AND JANE DOE**

81. Plaintiff incorporates the allegations from all previous paragraphs as if fully set forth herein.

82. Defendants have failed to satisfy a basic threshold requirement for conducting telephone solicitations in Massachusetts, that telephone solicitors must “have an approved registration prior to soliciting any Massachusetts consumers.” 201 C.M.R., § 12.04(3).

83. Defendants nor their agents were registered with the Massachusetts Office of Consumers affairs and Business Regulation (the “Office”) as a Telephone Solicitor which is a contrary to 201 C.M.R. § 12.04. and M.G.L. 93 A.

84. Defendants failed to Register as a Massachusetts telemarketer as is required by 201 C.M.R. § 12.04. Telephone solicitors engaging in unsolicited telephonic sales text (calls)

to Massachusetts consumers are required to “properly register on an annual basis with the Office” which is contrary to MGL 93 A.

85. Defendants text (called) plaintiff telephone number after 9pm eastern standard time which is a violation of the Telephone Consumer Practices Act, Massachusetts Telemarketing Solicitation Act 159C and 201 C.M.R., § 12.04(3) which is contrary to M.G.L. 93 A.

### **INJUNCTIVE RELIEF**

#### **DEFENDANTS KALM, CROSS, AMEND, TURBO, JOHN AND JANE DOE**

86. Plaintiff is also entitled to and does seek injunctive relief prohibiting Defendants and/or their affiliates, agents, and/or other persons or entities acting on Defendants’ behalf from violating the TCPA, 47 U.S.C. § 227, by text (calls), except for emergency purposes, to any cellular telephone numbers using an ATDS and/or artificial or prerecorded voice in the future

87. Plaintiff incorporates the allegations from all previous paragraphs as if fully set forth herein.

88. An injunction requiring Defendants to comply with 47 U.S.C. § 227(b)(3) and (c)(5). 201 C.M.R., § 12.04(3), MGL 93A, 47 C.F.R. § 64.1200(d) by (1) maintaining the required written policies; (2) providing training to their personnel engaged in telemarketing; and (3) maintaining a do-not-call list (4) To make any more calls or text messages without Consent.

### **PRAYERS FOR RELIEF SOUGHT**

**WHEREFORE**, Plaintiff requests the following relief from defendants Kalm, Cross and Turbo:

89. Injunctive relief prohibiting Defendants from calling ANY telephone numbers advertising their goods or services, except for emergency purposes, to ANY number on the National or State Do Not Call Registry using an ATDS and/or artificial or prerecorded voice in the future.
90. Because of Defendant's violations of the TCPA, Plaintiff should be awarded \$500 in damages for each violation or—where such regulations were willfully or knowingly violated—up to \$1,500 per violation, pursuant to 47 U.S.C. § 227(b)(3) and (c)(5).
91. Because of Defendants violations of M.G.L., c. 159C by engaging in and causing a pattern or practice of initiating telephone solicitations to Plaintiff's cellular phone without Plaintiff's express written consent on at least five (5) occasions, knowingly and willfully, Plaintiff seeks \$5000 in damages for each violation of the act.
92. Because of Defendants' violations of the Massachusetts and TCPA Do Not Call Registry, and 47 U.S.C. § 64.1200(c)(2), 47 U.S.C. § 64.1200(c)(5), 47 U.S.C. § 227(b)(1)(A), Plaintiff seeks damages of up to \$500.00 per violation, and the court to find the calls where willful \$1500 per violation.
93. An injunction requiring Defendants to comply with 47 U.S.C. § 227(b)(3) and (c)(5). 201 C.M.R., § 12.04(3), MGL 93A, 47 C.F.R. § 64.1200(d) by (1) maintaining the required written policies; (2) providing training to their personnel engaged in telemarketing; and (3) maintaining a do-not-call list.



94. Award plaintiff double or treble damages under the M.G.L 93a statute for not being registered with the Massachusetts Office of Consumers affairs and Business Regulation (the "Office") as a Telephone Solicitor before texting (Calling) Massachusetts residents under 201 C.M.R. § 12.04.
95. Award Plaintiff Punitive damages and reasonable attorney's fees pursuant to M.G.L., c. 159C. and MGL 93a.
96. An order declaring that Defendants' actions, as set out above, violated the Telephone Consumer Practices Act, Massachusetts Telemarketers Solicitation Act 159 c and the Massachusetts Unfair and Deceptive Trade Practices Act MGL 93a.
97. Such other relief as the Court deems just and proper.

### **JURY DEMAND**

Plaintiff request a jury trial as to all claims of the complaint so triable.

Respectfully submitted,

May 2, 2024

Vincent Lawrence



111 Atlantic Avenue Apt 2

Boston, Ma 02126

Vlawrence02121@gmail.com

857-225-3862

### VERIFIED LAWSUIT

I Vincent Lawrence is the Plaintiff in this civil proceeding before this court. I am over the age of 21 , I verify that I have personal knowledge of the facts stated above and hereby swear under pains and penalties of perjury that all of those facts are true and accurate.

Under the law, specifically 28 U.S.C. § 1746(2), I, Vincent Lawrence, am declaring under penalty of perjury that everything stated in this Verified Complaint is true and accurate to the best of my knowledge. I have firsthand knowledge and can testify in court about the information provided herein.

Respectfully submitted,

May 2, 2024

Vincent Lawrence



111 Atlantic Avenue Apt 2

Boston, Ma 02126

Vlawrence02121@gmail.com

857-225-3862

Commonwealth of Massachusetts

SUFFOLK, ss.

SUPERIOR COURT

CASE NO: 2484-CV- 00798

VINCENT LAWRENCE  
Plaintiff,

v.

KALM FINANCIAL INC.

CROSS MORTGAGE, LLC

AMEND FINANCE LLC,

TURBO DEBT LLC,

JOHN DOES

JANE DOES

Defendant,

JOINT STIPULATION OF DISMISSAL WITH PREJUDICE

The Plaintiff Vincent Lawrence (Plaintiff) hereby stipulate to the dismissal with prejudice of the Plaintiff's Verified Amended Complaint against defendant Kalm Financial LLC. Each party

JUDGMENT entered on docket pursuant to Mass R Civ P 58(a)  
as amended and notice sent to parties pursuant to Mass R Civ P 77(d)

shall bear its own costs and there shall be no right of appeal from judgment entered in accordance with this Stipulation of Dismissal.

Respectfully submitted,

May 10, 2024

Vincent Lawrence /s/ Vincent Lawrence

111 Atlantic Avenue Apt 2

Boston, Ma 02126

Vlawrence02121@gmail.com

857-225-3862

### CERTIFICATE OF SERVICE

I solemnly swear that I have sent the defendant's Kalm Financial LLC. counsel of record  
Matthew R. Pitts, Law a copy of the Motion to dismiss with prejudice attached, on this  
10<sup>th</sup> day of May2024 by electronic mail to email.

Respectfully submitted,

May 10, 2024

Vincent Lawrence /s/ Vincent Lawrence

111 Atlantic Avenue Apt 2

Boston, Ma 02126

Vlawrence02121@gmail.com

857-225-3862

Matthew R. Pitts, Law /s/ Mathew R. Pitts

PITTS LAW, PLLC

14314 S. Fort Pierce Way

Herriman, UT 84096

(801) 427-2500



## Summons

CIVIL DOCKET NO.

2024. 0798

Trial Court of Massachusetts  
The Superior Court

CASE NAME:

Vincent Lawrence

John E. Powers III  
SuffolkActing  
Clerk of Courts  
County

VS.

Plaintiff(s)

Defendant(s)

COURT NAME &amp; ADDRESS:

Suffolk Superior Civil Court  
Three Pemberton Square  
Boston, MA. 02108

Kalm Finanial LLC

THIS SUMMONS IS DIRECTED TO Turbo Debt LLC (Defendant's name)

**You are being sued.** The Plaintiff(s) named above has started a lawsuit against you. A copy of the Plaintiff's Complaint filed against you is attached to this Summons and the original Complaint has been filed in the Suffolk Superior Court.

**YOU MUST ACT PROMPTLY TO PROTECT YOUR RIGHTS.****1. You must respond to this lawsuit in writing within 20 days.**

If you do not respond, the Court may decide the case against you and award the Plaintiff everything asked for in the Complaint. You will also lose the opportunity to tell your side of the story. You must respond to this lawsuit in writing even if you expect to resolve this matter with the Plaintiff. **If you need more time to respond, you may request an extension of time in writing from the Court.**

**2. How to Respond.**

To respond to this lawsuit, you must file a written response with the Court and mail a copy to the Plaintiff's attorney (or the Plaintiff, if unrepresented). You can do this by:

a) Filing your **signed original** response with the Clerk's Office for Civil Business, Suffolk Superior Court  
3 Pemberton Square, Boston, MA 02108 (address), by mail, in person, or electronically through  
the web portal [www.eFileMA.com](http://www.eFileMA.com) if the Complaint was e-filed through that portal, **AND**

b) Delivering or mailing a **copy** of your response to the Plaintiff's attorney/Plaintiff at the following address:

Vincent Lawrence 111 Atlantic Ave, Apt 208 Boston MA 02110

**3. What to Include in Your Response.**

An "Answer" is one type of response to a Complaint. Your Answer must state whether you agree or disagree with the fact(s) alleged in each paragraph of the Complaint. Some defenses, called affirmative defenses, must be stated in your Answer or you may lose your right to use them in Court. If you have any claims against the Plaintiff (referred to as "counterclaims") that are based on the same facts or transaction described in the Complaint, then you must include those claims in your Answer. Otherwise, you may lose your right to sue the Plaintiff about anything related to this lawsuit. If you want to have your case heard by a jury, you must **specifically** request a jury trial in your Court no more than 10 days after sending your Answer.



**3. (cont.)** Another way to respond to a Complaint is by filing a "Motion to Dismiss," if you believe that the Complaint is legally invalid or legally insufficient. A Motion to Dismiss must be based on one of the legal deficiencies or reasons listed under **Rule 12 of the Massachusetts Rules of Civil Procedure**. If you are filing a Motion to Dismiss, you must follow the filing rules for "Civil Motions in Superior Court," available at:

[www.mass.gov/law-library/massachusetts-superior-court-rules](http://www.mass.gov/law-library/massachusetts-superior-court-rules)

**4. Legal Assistance.**

You may wish to get legal help from a lawyer. If you cannot get legal help, some basic information for people who represent themselves is available at [www.mass.gov/courts/selfhelp](http://www.mass.gov/courts/selfhelp).

**5. Required Information on All Filings.**

The "Civil Docket No." appearing at the top of this notice is the case number assigned to this case and must appear on the front of your Answer or Motion to Dismiss. You should refer to yourself as the "Defendant."

Witness Hon. Michael D. Ricciuti, Chief Justice on \_\_\_\_\_, 20\_\_\_\_. (Seal)

Acting Clerk



**Note:** The docket number assigned to the original Complaint by the Clerk should be stated on this Summons before it is served on the Defendant(s).

**PROOF OF SERVICE OF PROCESS**

I hereby certify that on May 9, 2024, I served a copy of this Summons, together with a copy of the Complaint in this action, on the Defendant named in this Summons, in the following manner (See Rule 4(d)(1-5) of the Massachusetts Rules of Civil Procedure):

I Vincent Lawrence did serve the Defendant respectfully  
by US Postal Certified mail.

Dated: May 16, 2024

Signature:

Vincent Lawrence

**N.B. TO PROCESS SERVER:**

PLEASE ENTER THE DATE THAT YOU MADE SERVICE ON THE DEFENDANT IN THIS BOX - BOTH ON THE ORIGINAL SUMMONS AND ON THE COPY OF THE SUMMONS SERVED ON THE DEFENDANT.

Date: May 9, 2024



May 16, 2024

Dear Vincent Lawrence:

The following is in response to your request for proof of delivery on your item with the tracking number:  
**EJ21 5526 513U S.**

#### Item Details

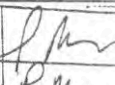
**Status:** Delivered, Individual Picked Up at Postal Facility  
**Status Date / Time:** May 9, 2024, 2:42 pm  
**Location:** DOVER, DE 19901  
**Postal Product:** Priority Mail Express 1-Day®  
**Extra Services:** PO to Addressee  
Up to \$100 insurance included  
**Actual Recipient Name:** P MAC

Note: Actual Recipient Name may vary if the intended recipient is not available at the time of delivery.

#### Shipment Details

**Weight:** 6.0oz

#### Recipient Signature

Signature of Recipient:	<input checked="checked" type="checkbox"/> Signature	
	<input type="checkbox"/> Printed Name	P Mac
Address of Recipient:	<input type="checkbox"/> Delivery Address	
	<input type="checkbox"/> Return Address	

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,  
United States Postal Service®  
475 L'Enfant Plaza SW  
Washington, D.C. 20260-0004



Cross Mortgage LLC

3 Pemberton Square  
Boston, MA 02108

everything asked for in the  
suit in writing even  
an extension of  
to the Plaintiffs and

everything asked for in the Complaint.  
suit in writing even if you expect to  
**an extension of time in writing**  
to the Plaintiff's attorney (or the

to the Plaintiff's attorney (or the

the Plaintiff's attorney (or the

3 Pemberton Square Boston, MA 02108

Vincent Lawrence III Atlantic Ave Boston, MA 02110

agree or disagree with the fact(s)  
must be stated in your Answer or  
referred to as "counterclaims") that  
include those claims in your Answer.  
If you want to have your case  
resolved after sending your Answer.



3. (cont.) Another way to respond to a Complaint is by filing a "Motion to Dismiss," if you believe that the Complaint is legally invalid or legally insufficient. A Motion to Dismiss must be based on one of the legal deficiencies or reasons listed under **Rule 12 of the Massachusetts Rules of Civil Procedure**. If you are filing a Motion to Dismiss, you must follow the filing rules for "Civil Motions in Superior Court," available at:

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Witness Hon. Michael D. Ricciuti, Chief Justice on \_\_\_\_\_, 20\_\_\_\_. (Seal)

Acting Clerk



**Note:** The docket number assigned to the original Complaint by the Clerk should be stated on this Summons before it is served on the Defendant(s).

#### PROOF OF SERVICE OF PROCESS

I hereby certify that on May 8, 2024, I served a copy of this Summons, together with a copy of the Complaint in this action, on the Defendant named in this Summons, in the following manner (See Rule 4(d)(1-5) of the Massachusetts Rules of Civil Procedure):

I Vincent Lawrence did serve the Defendant respectfully  
by US Postal Certified mail.

Dated: May 16, 2024

Signature: Vincent Lawrence

#### N.B. TO PROCESS SERVER:

PLEASE ENTER THE DATE THAT YOU MADE SERVICE ON THE DEFENDANT IN THIS BOX - BOTH ON THE ORIGINAL SUMMONS AND ON THE COPY OF THE SUMMONS SERVED ON THE DEFENDANT.

Date: May 8, 2024





May 16, 2024

Dear vincent Lawrence:

The following is in response to your request for proof of delivery on your item with the tracking number:  
**EE43 5890 802U S.**

#### Item Details

<b>Status:</b>	Delivered, Front Desk/Reception/Mail Room
<b>Status Date / Time:</b>	May 8, 2024, 12:38 pm
<b>Location:</b>	CLEVELAND, OH 44114
<b>Postal Product:</b>	Priority Mail Express 1-Day®
<b>Extra Services:</b>	PO to Addressee Up to \$100 insurance included
<b>Actual Recipient Name:</b>	WAIVED

Note: Actual Recipient Name may vary if the intended recipient is not available at the time of delivery.

#### Shipment Details

<b>Weight:</b>	6.0oz
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#### Recipient Signature

The recipient's signature is not available because the waiver of signature that you authorized was exercised at the time of delivery.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,  
United States Postal Service®  
475 L'Enfant Plaza SW  
Washington, D.C. 20260-0004

## Summons

CIVIL DOCKET NO.

2484-CV-00798

Trial Court of Massachusetts  
The Superior Court

CASE NAME:

Vincent Lawrence

John E. Powers III  
SuffolkActing  
Clerk of Courts  
County

vs.

Plaintiff(s)

Kalm Financial LLC

Defendant(s)

COURT NAME &amp; ADDRESS:

Suffolk Superior Civil Court  
Three Pemberton Square  
Boston, MA. 02108

THIS SUMMONS IS DIRECTED TO

Amend Finance LLC

(Defendant's name)

**You are being sued.** The Plaintiff(s) named above has started a lawsuit against you. A copy of the Plaintiff's Complaint filed against you is attached to this Summons and the original Complaint has been filed in the Suffolk Superior Court.

**YOU MUST ACT PROMPTLY TO PROTECT YOUR RIGHTS.**

**1. You must respond to this lawsuit in writing within 20 days.**

If you do not respond, the Court may decide the case against you and award the Plaintiff everything asked for in the Complaint. You will also lose the opportunity to tell your side of the story. You must respond to this lawsuit in writing even if you expect to resolve this matter with the Plaintiff. **If you need more time to respond, you may request an extension of time in writing from the Court.**

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To respond to this lawsuit, you must file a written response with the Court and mail a copy to the Plaintiff's attorney (or the Plaintiff, if unrepresented). You can do this by:

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**3 Pemberton Square Boston MA 02108** (address), by mail, in person, or electronically through  
 the web portal [www.eFileMA.com](http://www.eFileMA.com) if the Complaint was e-filed through that portal, **AND**

- b) Delivering or mailing **a copy** of your response to the Plaintiff's attorney/Plaintiff at the following address:

Vincent Lawrence 111 Atlantic Ave Boston, MA 02110

**3. What to Include in Your Response.**

An "Answer" is one type of response to a Complaint. Your Answer must state whether you agree or disagree with the fact(s) alleged in each paragraph of the Complaint. Some defenses, called affirmative defenses, must be stated in your Answer or you may lose your right to use them in Court. If you have any claims against the Plaintiff (referred to as "counterclaims") that are based on the same facts or transaction described in the Complaint, then you must include those claims in your Answer. Otherwise, you may lose your right to sue the Plaintiff about anything related to this lawsuit. If you want to have your case heard by a jury, you must **specifically** request a jury trial in your Court no more than 10 days after sending your Answer.



**3. (cont.)** Another way to respond to a Complaint is by filing a "Motion to Dismiss," if you believe that the Complaint is legally invalid or legally insufficient. A Motion to Dismiss must be based on one of the legal deficiencies or reasons listed under **Rule 12 of the Massachusetts Rules of Civil Procedure**. If you are filing a Motion to Dismiss, you must follow the filing rules for "Civil Motions in Superior Court," available at:

[www.mass.gov/law-library/massachusetts-superior-court-rules](http://www.mass.gov/law-library/massachusetts-superior-court-rules)

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Witness Hon. Michael D. Ricciuti, Chief Justice on \_\_\_\_\_, 20\_\_\_\_. (Seal)

Acting Clerk



**Note:** The docket number assigned to the original Complaint by the Clerk should be stated on this Summons before it is served on the Defendant(s).

**PROOF OF SERVICE OF PROCESS**

I hereby certify that on May 8, 2024, I served a copy of this Summons, together with a copy of the Complaint in this action, on the Defendant named in this Summons, in the following manner (See Rule 4(d)(1-5) of the Massachusetts Rules of Civil Procedure):

I Vincent Lawrence did serve the Defendant respectfully  
by US Postal Certified mail.

Dated: May 16, 2024

Signature: Vincent Lawrence

**N.B. TO PROCESS SERVER:**

PLEASE ENTER THE DATE THAT YOU MADE SERVICE ON THE DEFENDANT IN THIS BOX - BOTH ON THE ORIGINAL SUMMONS AND ON THE COPY OF THE SUMMONS SERVED ON THE DEFENDANT.

Date: May 8, 2024



May 16, 2024

Dear Vincent Lawrence:

The following is in response to your request for proof of delivery on your item with the tracking number: **EE43 5890 793U S**.

#### Item Details

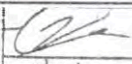
**Status:** Delivered, Left with Individual  
**Status Date / Time:** May 8, 2024, 12:33 pm  
**Location:** SAN DIEGO, CA 92101  
**Postal Product:** Priority Mail Express 1-Day®  
**Extra Services:** PO to Addressee  
Up to \$100 insurance included  
**Actual Recipient Name:** V HERNANDEZ

Note: Actual Recipient Name may vary if the intended recipient is not available at the time of delivery.

#### Shipment Details

**Weight:** 6.0oz

#### Recipient Signature

Signature of Recipient:	 Victor Hernandez
Address of Recipient:	402 W. BROADWAY #400

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,  
United States Postal Service®  
475 L'Enfant Plaza SW  
Washington, D.C. 20260-0004



### **CERTIFICATE OF SERVICE**

I, Vincent Lawrence do hereby certify that on May 28, 2024, I served copies of the foregoing document on all parties by first class mail, postage prepaid, and electronic mail, as follows:

Christopher P. Meier, Esq.

Greenspoon Marder LLP

100 West Cypress Creek Rd, Suite 700

Ft. Lauderdale, FL 33309

Direct Phone Number: 954.734.1836

Cell Phone: 954.471.8032

christopher.meier@gmlaw.com

Vincent Lawrence /s/ Vincent Lawrence

May 28, 2024

111 Atlantic Avenue Apt 208

Boston, Ma 02126

Vlawrence02121@gmail.com

857-225-3862

SR

Commonwealth of Massachusetts

SUFFOLK, ss.

SUPERIOR COURT

CASE NO: 2484-CV- 00798

VINCENT LAWRENCE  
Plaintiff,

v.

KALM FINANCIAL INC. et al.

Defendant,

**JOINT STIPULATION TO EXTEND DEADLINE**

**COMES NOW** the Plaintiff, Vincent Lawrence, and the Defendant, Turbo Debt LLC, by and through its attorneys Christopher P. Meier,, and hereby jointly stipulate and notice the court that we have agree to as follows regarding responding to plaintiffs First Amended Verified Complaint:

1. The parties agree to extend the deadline for the Defendant Turbo Debt LLC. to respond to the Plaintiff's Verified Amended Complaint from May 28, 2024, to June 11, 2024 (fourteen [14] days). This Notice is only for defendant Turbo Debt LLC
2. The requested extension will not affect the discovery deadline and will have a minimal impact on the overall case schedule. Defendant Turbo Debt LLC. requires additional time

to review Plaintiff's Complaint, investigate the underlying allegations, the extension will also allow the parties to assess the potential of an early resolution. Defendant does not seek this extension for purposes of delay only.

**WHEREFORE**, the parties respectfully request that this Court enter an Order in accordance with the terms of this Stipulation.

Respectfully submitted,

May 28, 2024

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